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Summary record of the 47th meeting
Held at Headquarters, New York, on Tuesday, 19 November 2013, at 10 a.m.

Chair: Mr. Tafrov ..... (Bulgaria)

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13-57010 (E)

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The meeting was called to order at 10.10 a.m.

Agenda item 66: Rights of indigenous peoples (*continued*)

(a) Rights of indigenous peoples (*continued*) (A/C.3/68/L.30)

Draft resolution A/C.3/68/L.30: Rights of Indigenous Peoples

1. **Mr. Rossell Arce** (Plurinational State of Bolivia), introducing the draft resolution, said that Argentina, Costa Rica, Cuba, Guatemala, New Zealand, Nicaragua, Norway, Paraguay, Peru and Venezuela (Bolivarian Republic of) had joined the sponsors. The landmark adoption of the United Nations Declaration on the Rights of Indigenous Peoples had given the international community a new robust legal framework for the promotion and protection of those rights and Bolivia had been the first country to translate the Declaration into domestic law. The sponsors of the draft resolution were committed to furthering multilateral action in favour of indigenous peoples, through events such as the World Conference on Indigenous Peoples in 2014. Governments and indigenous peoples were invited to convene regional or international events to contribute to the preparations for the Conference. The ongoing efforts to focus global attention on the important role of quinoa and to promote the traditional knowledge of Andean indigenous peoples aimed, inter alia, to guarantee food security and eradicate poverty and to raise awareness on their contribution to social, economic and environmental development.

2. **Mr. Gustafik** (Secretary of the Committee) said that Armenia, Brazil, Congo, El Salvador, Guyana and Honduras had joined the sponsors.

Agenda item 69: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/68/L.43, A/C.3/68/L.48 and A/C.3/68/L.52)

Draft resolution A/C.3/68/L.43: Right to the Truth

3. **Mr. Fernandez Valoni** (Argentina), introducing the draft resolution, said the right to the truth had become one of the pillars of his country's human rights policy and its promotion was a major aspect of foreign policy. The number of sponsors had risen with each adoption of a resolution on the matter; it was time for the General Assembly to recognize, by consensus, the universal scope of the right to the truth. Argentina had learned that the consequences of impunity were lasting and that societies needed to face their past in order to be able to look towards their future. The sponsors, cognizant of the fact that each country had its own internal specificities, were not attempting to impose a single formula — the main objective of the draft resolution was to establish that each individual and society as a whole had the right to the truth and that it was the duty of States to respect and guarantee that right.

4. **Mr. Gustafik** (Secretary of the Committee) said that Bolivia (Plurinational State of), Ecuador, Switzerland and Uruguay had joined the sponsors.

Draft resolution A/C.3/68/L.48: Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

5. **Ms. Ahmed Hassan** (Djibouti), introducing the draft resolution on behalf of the Organization of Islamic Cooperation, said that the draft sought to build on the good work of Council resolution 16/18, which had established the Istanbul Process to combat intolerance based on religion or belief, and was a natural follow-up to the delicately negotiated consensus resolution of 2012, with only minor technical updates to ensure consistency throughout the text. The language of the twenty-first and twenty-second preambular paragraphs had been refined to reflect additions or deletions of relevant references.

6. **Mr. Gustafik** (Secretary of the Committee) said that the United Republic of Tanzania had joined the sponsors.

Draft resolution A/C.3/68/L.52: United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region

7. **Ms. Al-Mulla** (Qatar), introducing the draft resolution, said that Azerbaijan, Cuba, Egypt, Iraq, Jordan, Mauritania, Pakistan, Tunisia, United States of America and Yemen had joined the sponsors. The support and appreciation shown for the work of the Centre reflected the significance of the draft resolution.

The text encouraged continued engagement of the Centre with other United Nations offices in the region and recognized that constraints on human and financial resources limited the Centre's capacity to respond to regional developments in a timely manner. If the funding issues were addressed, the Centre would be able to perform its crucial role.

8. **Mr. Gustafik** (Secretary of the Committee) said that Lebanon, Morocco and the United Republic of Tanzania had joined the sponsors.

Agenda item 62: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/C.3/68/L.71)

Draft resolution A/C.3/68/L.71: Assistance to refugees, returnees and displaced persons in Africa

9. **The Chair** said that he had been advised that the draft resolution contained no programme budget implications.

10. **Ms. Farngalo** (Liberia) said that a few minor revisions had been made to the draft. In the fourth preambular paragraph, the words "violence and exploitation" had been inserted after "abuse," and the words "and addressing" had been inserted after "responding to"; in the tenth preambular paragraph, the word "integration" had been inserted after "inter alia,". She announced that Belgium, Costa Rica, Estonia, Japan and Republic of Moldova had joined the sponsors.

11. **Mr. Gustafik** (Secretary of the Committee) said that Croatia, Denmark, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Greece, Honduras, Mexico, Montenegro, Romania, Senegal, Serbia, Sierra Leone, Slovenia, South Sudan, Timor-Leste and United Republic of Tanzania had joined the sponsors.

12. *Draft resolution A/C.3/68/L.71, as orally revised, was adopted.*

13. **Ms. Juodkaitė Putrimienė** (Lithuania), speaking on behalf of the European Union, said that the plight of refugees, returnees and displaced persons in Africa was of great concern to European Union member States, particularly as some 25 per cent of the global refugee population lived on the African continent. While the European Union supported the general thrust of the draft resolution, it would welcome a truly transparent and inclusive consultation process in 2014, which would allow Member States the opportunity to discuss some of the issues in more depth and thereby strengthen the resolution.

Agenda item 68: Right of peoples to self-determination (*continued*) (A/C.3/68/L.67)

Draft resolution A/C.3/68/L.67: Universal realization of the right of peoples to self-determination

14. **The Chair** said that he had been advised that the draft resolution contained no programme budget implications.

15. **Mr.** Diyar **Khan** (Pakistan), noting that New Zealand, Paraguay, South Sudan and Tajikistan had joined the sponsors, said that the right to self-determination enjoyed primacy in international law. It had been affirmed and upheld by all major international summits, declarations and resolutions, the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Adoption of the draft resolution by acclamation would send a strong message regarding the international community's opposition to all acts of foreign aggression and occupation.

16. **Mr. Gustafik** (Secretary of the Committee) said that Belize, Gambia and Haiti had joined the sponsors.

17. *Draft resolution A/C.3/68/L.67 was adopted.*

18. **Mr. Díaz Bartolomé** (Argentina) said that his country fully supported the right to self-determination of peoples, a right that should be interpreted as applicable only to peoples subjected to alien subjugation, domination and exploitation, in accordance with the purposes and principles of the Charter of the United Nations and relevant resolutions. The resolution that had just been adopted should be interpreted and applied in a manner consistent with the relevant resolutions of the General Assembly and the Special Political and Decolonization Committee.

19. **Mr. García-Larrache** (Spain) said that while his country fully supported the right to self-determination, there were situations in which the administering Power and the authorities of the territory it had colonized had established a political relationship in their own interest and insisted that there was no colonial link, while still claiming a so-called right to self-determination. That was a distortion of the Charter of the United Nations and of the relevant resolutions.

20. The original population of Gibraltar had had to leave the territory, and the current inhabitants had been installed by the occupying Power for military purposes. Claims to self-determination were therefore untenable. The United Nations considered that the colonial situation of Gibraltar affected the territorial integrity of Spain, and thus had repeatedly called for dialogue on the issue. Spain believed that a solution that respected the rights of Gibraltar's inhabitants could be found, and hoped that the United Kingdom would join it in seeking such a solution.

21. **Ms. Robl** (United States of America) said that the United States of America considered the right of peoples to self-determination to be important and had therefore joined consensus on the resolution. However, the resolution contained multiple misstatements of international law and was inconsistent with current State practices.

22. **Ms. Walker** (United Kingdom) said that the United Kingdom of Great Britain and Northern Ireland recalled its sovereignty over Gibraltar and the territorial waters surrounding it and reaffirmed that, as a separate territory included by the United Nations in its list of non-self-governing territories since 1946, Gibraltar enjoyed the individual and collective rights accorded by the Charter of the Organization. The 2006 Gibraltar Constitution provided for a modern and mature relationship between Gibraltar and the Government of the United Kingdom. That description would not apply to any relationship based on colonialism.

23. Her Government had a long-standing commitment to the people of Gibraltar that it would not enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another State against their wishes, nor would it enter into a process of sovereignty negotiations with which Gibraltar was not content. While her Government and Gibraltar desired to continue the Trilateral Forum for Dialogue on Gibraltar as the most credible, constructive and practical means of strengthening United Kingdom-Gibraltar-Spain relations for the benefit of all parties, the Forum could not continue its work in the absence of agreement between all parties as to its resumption. Her Government regretted the fact that the Government of Spain had withdrawn from those talks in 2011, and the United Kingdom stood ready to explore new ways of taking forward dialogue and cooperation on issues of mutual importance by any means that fully reflected the interests, rights and responsibilities of the people of Gibraltar. The United Kingdom continued to enjoy strong relations with Spain and would continue to work constructively on all Gibraltar-related issues.

Agenda item 69: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/68/L.51 and A/C.3/68/L.54)

Draft resolution A/C.3/68/L.51: Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

24. **The Chair** said that the draft resolution contained no programme budget implications.

25. **Ms. Kalb** (Austria) said that, since the introduction of the draft resolution, Argentina, Chile, Costa Rica, Czech Republic, the Dominican Republic, Ecuador, Eritrea, Estonia, Georgia, Japan, Latvia, Lebanon, Lithuania, Mauritius, Republic of Korea, Republic of Moldova, Russian Federation San Marino, Slovakia, Ukraine and United Kingdom had become sponsors. She read out an oral revision to the text: in the ninth preambular paragraph, the words "and recalling the paragraphs in resolution 67/292 on multilingualism of 29 August 2013, relating to the rights of persons belonging to national or ethnic, religious and linguistic minorities, recognizing that multilingualism is a means of preserving diversity of languages and cultures globally" should be added at the end of the paragraph.

26. **Mr. Gustafik** (Secretary of the Committee) said that Benin, Greece, New Zealand, Timor-Leste, United Republic of Tanzania and Uruguay had joined the sponsors.

27. *Draft resolution A/C.3/68/L.51, as orally revised, was adopted.*

Draft resolution A/C.3/68/L.54: Subregional Centre for Human Rights and Democracy in Central Africa

28. **The Chair** said that the draft resolution contained no programme budget implications

29. **Ms. Mballa Eyenga** (Cameroon) said that Austria, Belgium, Canada, Costa Rica, Estonia, Ethiopia, France, Germany, Ghana, Guinea Bissau, Hungary, Italy, Japan, Luxembourg, Kenya, Malawi, Portugal, Romania, Slovenia, Sudan, Togo, Uganda, Zambia and Zimbabwe had joined the sponsors. The Subregional Centre would contribute to strengthening national human rights capacities in the subregion and facilitate the establishment of transitional justice mechanisms in countries emerging from conflict.

30. **Mr. Gustafik** said that Albania, Australia, Benin, Eritrea, Greece, Ireland, Israel, Madagascar, Mali, Montenegro, Qatar, Senegal, South Sudan, Spain, United Republic of Tanzania and United States of America had joined the sponsors.

31. *Draft resolution A/C.3/68/L.54 was adopted.*

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/68/L.55/Rev.1 and A/C.3/68/L.76)

Draft resolution A/C.3/68/L.55/Rev.1: Situation of human rights in Myanmar

32. **The Chair** said that the statement of programme budget implications for the draft resolution was contained in document A/C.3/68/L.76.

33. **Ms. Kazragienė** (Lithuania), speaking on behalf of the European Union and the other sponsors, said that Bosnia and Herzegovina, Israel, Liechtenstein, Norway, Serbia, Seychelles, Switzerland and Turkey had joined the sponsors. The draft resolution had been drafted and negotiated against the backdrop of substantial changes in Myanmar, including the increasing engagement with the international community and important steps towards political reform, national reconciliation and improvement of the human-rights situation. As a result, a significant part of the draft resolution was dedicated to recognizing the positive steps taken.

34. Serious challenges remained, however, and the draft resolution called on the Government of Myanmar to, inter alia, continue releasing prisoners of conscience, to ensure an inclusive peace process and to pursue legal reform to guarantee compatibility with international standards and democratic principles and thus ensure the credibility, transparency and inclusiveness of the 2015 elections. The international community remained concerned about continuing armed conflict in Kachin State, the discrimination and human rights violations affecting various ethnic minorities, especially the Rohingya minority, and the fresh outbreaks of violence in Rakhine State. Lastly, the draft resolution called on the Government to speed up the process of establishing a country office of the United Nations High Commissioner for Human Rights, which it had committed to doing the previous year.

35. The draft resolution took into account the substantial changes in the country and the Government's increasing engagement with the international community. The European Union had worked closely with Myanmar to produce a draft resolution that reflected both the important strides made over the past year and the main issues of concern still to be addressed. Bilateral consultations had also been held with other delegations with a view to reaching a consensus on the draft resolution.

36. She read out a few oral revisions to the text. First, in paragraph 11, the word "upcoming" in the third line should be deleted. Second, in the first line of paragraph 14, the phrase "expresses concern at continued delays" should be deleted, and the phrase "expresses concern at delays" should be inserted after the word "negotiations" in the second line. She understood that the revisions would enable all delegations to join consensus on the draft resolution.

37. **Ms. Robl** (United States of America) welcomed the progress that Burma had made towards building the foundations of a sustainable democracy and commended its Government's continued efforts to fulfil its international commitments, including the dedicated work of the political prisoner review committee and the recent release of 69 political prisoners. While the Government and civil society had made great strides in improving the promotion of human rights, great challenges remained. The situation in Rakhine State was a source of concern, and the Government should take steps to promote civilian protection, improve livelihoods and develop a long-term solution to the crisis in a responsible and sustainable manner. Anti-Muslim sentiment and violence had spread, and the March incident in Meiktila had led to widespread displacement, death and destruction of property. She urged the Government to hold the perpetrators to account, to investigate the failure to protect public order and to take the necessary steps to prevent such tragic episodes from ever recurring. Her country supported the role of the United

Nations in promoting and protecting human rights in Burma in partnership with the Government and civil society through the Office of the High Commissioner for Human Rights, and looked forward to discussing further progress at the next session of the Human Rights Council.

38. *Draft resolution A/C.3/68/L.55/Rev.1, as orally revised, was adopted.*

39. **Mr. Tin** (Myanmar), speaking in explanation of position, reaffirmed his delegation's principled opposition to the selective tabling of country-specific resolutions. The universal periodic review of the Human Rights Council was the sole monitoring mechanism to address human rights situations in all countries. The promotion and protection of human rights should be based on cooperation, genuine dialogue and strengthening the capacity of Member States to comply with their human rights obligations. Myanmar's well-known drastic policy changes in recent years had included increased international engagement, the establishment of bilateral human rights dialogues with the United States, Japan and the European Union. In keeping with the spirit of cooperation that his country had opted for since the European Union had shifted its policy towards Myanmar to a constructive approach, his delegation had refrained from calling for a vote on the draft resolution, as the text encouraged the ongoing reform process. He welcomed the recognition given to the various positive developments. However, his delegation maintained reservations to paragraphs 5, 10 and 14, which contained sensitive language. Paragraph 5 was replete with unverified allegations. His Government's steps to address human rights issues included strengthening the national human rights commission, enacting legislative reforms and acceding to international instruments.

40. Myanmar regretted the inter-communal violence that had occurred the previous year in Rakhine State. The clashes had been provoked by miscreants who had exploited the newfound freedom and political openness at a time of rapid transition, and had not been an attack on a certain religion. Different faiths were living in peace and harmony elsewhere in the country. His Government had committed to preventing the recurrence of such violence, to attending to humanitarian needs with the support of the international community, and to promoting tolerance, peaceful coexistence and inter-faith dialogue. It had also taken action to hold the perpetrators accountable.

41. His delegation reiterated its long-standing opposition to the use of the term "Rohingya minority". There was no such minority among his country's ethnic groups and the inclusion of that term in the text did not imply recognition by Myanmar. The rights to citizenship, land ownership, movement and access would be considered in accordance with domestic law and the prevailing security conditions in the region.

42. Myanmar had been negotiating with the Office of the United Nations High Commissioner for Human Rights to reach an agreement on the opening of an office in his country. The opening of any United Nations office must be based on mutually convenient terms and conditions at a pace that was comfortable to the host country; his Government therefore rejected the non-constructive tone and reference to a mandate in paragraph 14 and reserved the right to decide on the mandate of the office to be opened in the country.

43. Given that the democratic transition in Myanmar was proceeding apace and reaping tangible benefits, the time had come to end monitoring of the situation in the country and to remove the issue from the General Assembly's agenda. Allowing a country that had changed for the better to remain subject to censure by the Committee would set a bad precedent. Moreover, there were ample ways for the United Nations and the international community to continue assisting and encouraging Myanmar's democratic transition without resorting to a country-specific resolution.

44. **Mr. Hisajima** (Japan) said that his delegation had joined consensus on the draft resolution because it believed in the importance of sending a united message from the international community in recognition of the positive developments in Myanmar. Japan welcomed the steps taken by Myanmar towards further engagement with the international community. Nevertheless, his Government was concerned about the communal conflict in Rakhine State and was closely following the situation. Japan would continue to extend assistance to Myanmar in support of its reform efforts and believed that its Government would continue to take positive steps so that Member States might re-evaluate the necessity of the country-specific resolution.

45. **Mr. Patriota** (Brazil), acknowledging the positive developments in Myanmar, said that the

situation of ethnic and religious minorities and internally displaced persons should be improved. His Government welcomed the release of political prisoners but was concerned about the situation of those who remained in prison, and also about issues related to freedom of expression, association and assembly, and recent deadly violence in Rakhine State and attacks on Muslim minorities. The adoption of the draft resolution by consensus reflected the progress of the political transition.

46. **Ms. Hewanpola** (Australia) said that the steps towards political and economic reform taken by the Government of Myanmar would bring more peace and prosperity to the country. The election to parliament of Daw Aung San Suu Kyi in April 2012 reflected the new spirit of openness. Her Government welcomed the Myanmar Government's November 2013 release of political prisoners and its commitment to releasing all prisoners of conscience by the end of 2013 and to achieving a nationwide ceasefire with the ethnic armed groups. It was concerned, however, by the intercommunal violence in Rakhine State, which could, if allowed to escalate, jeopardize the progress made. It encouraged Member States to strengthen their engagement with the country and welcomed the Myanmar Government's signing, in September 2013, of an additional protocol to its comprehensive safeguards agreement with the International Atomic Energy Agency. Further reforms in Myanmar would obviate the need for the Committee to adopt a country-specific resolution in future years.

47. **Mr. Bamrungphong** (Thailand) said that his Government welcomed the commitment of the Government of Myanmar to democratic reform, national reconciliation and development. The international community should not exert unnecessary political pressure on Myanmar but should help it to address the root causes of issues, in particular those related to socioeconomic development. Although challenges remained in Myanmar, there was no further need for a country-specific resolution to be adopted by the Committee.

48. **Ms. Hernando** (Philippines) said that although her Government did not as a rule support country-specific resolutions, it welcomed the consensus on the draft resolution and the positive developments in Myanmar. It was confident that the progress of the Government of Myanmar towards democracy and the promotion of human rights would be sustained and that in future the General Assembly would need to take no further action on the matter.

49. **Ms. Mørch Smith** (Norway) said that the international community should support Myanmar in its transition to democracy. Her delegation hoped that the Committee's country-specific resolution would become unnecessary if the human rights situation continued to improve.

50. **Ms. Burgess** (Canada) said that the reforms of the Burmese Government had advanced the cause of human rights. Her Government trusted that the dialogue between the Burmese Government and the ethnic armed groups would yield a sustainable solution. It was concerned about the situation of ethnic and religious minorities but would support Burma's transition towards reconciliation and democracy.

51. **Mr. Wang** Min (China) said that the people of Myanmar were ultimately responsible for resolving the difficulties which they continued to face despite the substantial changes in the country. The international community should address those problems objectively and rationally, respecting Myanmar's right to choose its own path towards development on the basis of its specific characteristics. Member States should support the Government's efforts to resolve the problems and to bring stability and amity among the ethnic groups. Country-specific resolutions were not the way forward; the countries responsible for them should address the legitimate concerns of Myanmar rather than table resolutions against it.

52. **Ms. Tham** (Singapore) said that her Government objected on principle to country-specific resolutions, which were selective, divisive, counterproductive and often motivated by politics rather than human rights. Country-specific human rights questions should be addressed through the Human Rights Council and the universal periodic review, which had been established specifically for that purpose. Her delegation would therefore abstain from voting on all country-specific resolutions, a decision which should not be interpreted as taking a position on the human rights situation in the country concerned or as condoning the mistreatment of citizens. Although Myanmar continued to face challenges, her delegation welcomed the Government's reform and reconciliation efforts, including the promotion of interfaith dialogue.

53. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her Government was

committed to the principles of non-intervention, State sovereignty and self-determination, and rejected selective country-specific resolutions adopted on the pretext of human rights concerns. It welcomed initiatives to encourage negotiation and dialogue without the application of undue pressure. Human rights situations should be examined by the Human Rights Council in a spirit of cooperation and impartiality, on the basis of reliable information. The universal periodic review was a valuable tool for the non-selective examination of such situations.

54. **Ms. Furman** (Israel) said that her delegation welcomed the commitment of the Government of Myanmar to political and economic reform, democracy and reconciliation. It welcomed the release of 1,100 political prisoners since 2011, the statement by the President of Myanmar that all prisoners of conscience would be freed by the end of 2013, the Government's engagement with parliament, civil society and the opposition and its attempts to reform legislation and relax media censorship. Further progress would obviate the need for draft resolutions on human rights in Myanmar in future years.

55. **Ms. Nguyen** Cam Linh (Viet Nam) said that her delegation had supported the consensus on the draft resolution but reiterated its objection to country-specific resolutions. Dialogue, engagement and cooperation, rather than confrontation and criticism, were the best way to promote and protect human rights.

56. **Mr. Kommasith** (Lao People's Democratic Republic) said that his delegation did not support country-specific resolutions as a matter of principle, but welcomed the consensus on the draft resolution. It supported the commitment of the Government of Myanmar to the political transition, which should be supported by the international community. Lasting peace in the country would be achieved through dialogue, mutual respect, compromise and the non-politicization of human rights. The Government and people of Myanmar would be encouraged in their efforts if the controversial resolution on the human rights situation in the country were abolished.

57. **Ms. Astiasarán Arias** (Cuba) said that her Government opposed human rights resolutions directed selectively against countries of the South. The Human Rights Council universal periodic review allowed all human rights situations to be considered on the basis of equality and constructive dialogue. Only objective, impartial and non-selective international cooperation would ensure the protection of human rights. Her delegation hoped that no further draft resolutions on human rights in Myanmar would be presented to the Committee.

58. **Ms. Hassan** (Djibouti), speaking on behalf of the Organization of Islamic Cooperation (OIC), said that OIC had supported the consensus on the draft resolution, although a number of its member States objected to country-specific resolutions. Over the preceding year it had shared with the States Members of the United Nations its concerns and its willingness to help Myanmar with humanitarian assistance and interfaith and political dialogue. It welcomed the inclusion of its suggestions in the text.

59. At the invitation of the Government of Myanmar, a delegation comprising the OIC Secretary-General, the Ministers for Foreign Affairs of Djibouti and Turkey, and representatives of the ministries of foreign affairs of various other OIC member States had visited Nay Pyi Taw and Rakhine State in November 2013. The delegation had observed the changes made by the Government of Myanmar with a view to ensuring peace, stability, the rule of law and socioeconomic progress.

60. The Organization welcomed the Government's efforts to reform legislation, including the Constitution, in line with international standards, and called for the repeal of laws restricting fundamental freedoms. In particular, democracy could not be established without addressing the popular resentment of the Rohingya minority and restoring their citizenship. His delegation had joined the consensus on the draft resolution in the hope that the Government's pledges would be respected by the authorities; the Organization and the international community would continue to monitor the situation. The OIC member States and institutions, including civil society organizations, were ready to provide further humanitarian and rehabilitation assistance in coordination with the Government, without discrimination on the basis of race, ethnicity or religion. The Organization and the Government should study the implementation of the 2012 memorandum of cooperation for the provision of humanitarian assistance.

61. Although OIC regretted the comments and reservations of the delegation of Myanmar concerning paragraphs 5, 10 and 15 of the draft resolution, the

problem could be resolved through courageous Government action supported by the international community. Without such action, however, relations among Myanmar's communities could deteriorate. She deplored the destruction of a mosque by a mob in Kyauk Phyu after the departure of the OIC delegation. The communities did not trust one another and the Rohingya Muslim community did not trust the Government. The process of verification for the granting of citizenship should be inclusive, comprehensive and transparent; its success depended on the prospect of full citizenship. The Organization would encourage the Muslim communities to cooperate with the authorities providing that it received the technical details of the verification and citizenship processes and the Government's plans. The 2014 census was an opportunity to build trust with the Rohingya Muslim community.

62. **Ms. Khvan** (Russian Federation) said that one-sided, selective country-specific resolutions did nothing to resolve human rights problems. The primary responsibility for the protection of those rights lay with States themselves, although the international community was called upon to provide technical assistance. The European Union draft resolution on human rights in Myanmar could negatively affect the attitude of the authorities in the country towards cooperation with all parties. Her delegation had supported the consensus on the draft resolution but saw no need for such documents and believed that in future they would be unnecessary for the Third Committee.

63. **Mr. Mahmoud** (Egypt), speaking in explanation of position, said that his delegation welcomed the adoption of the draft resolution by consensus. The resolution sent a strong message to Myanmar, making clear the necessity of continuing constitutional reforms, further improving the human rights situation and abiding by relevant commitments, in particular those pertaining to Muslim minorities. His delegation remained concerned about continued violations, especially concerning the acquisition of citizenship by the Rohingya Muslim minority, the protection of their places of worship and cemeteries, practice of their religious beliefs and non-obstruction of humanitarian assistance to those in need. He welcomed the cooperation extended by the Government of Myanmar during the recent visit of the Organization of Islamic Cooperation to the country and hoped that the coming period would yield tangible improvements in the human rights situation, preventing the Committee from having to adopt similar resolutions at future sessions.

64. **Mr. Kumar** (India) said that his Government supported the reform and reconciliation efforts of the Government of Myanmar, the release of political prisoners, the peace talks with the ethnic groups, including the Kachins, and the proposed national ceasefire. His Government had always advocated engagement by the international community with the Myanmar Government to foster national reconciliation and socioeconomic development, and had thus been encouraged by the presence of the first Myanmar delegation at the September meeting of the Group of Friends of the Secretary-General on Myanmar and the Group's decision to work in partnership with Myanmar towards peace and development. The commitment of the President of Myanmar to tolerance, mutual respect, religious freedom and the rule of law should lead to further progress in comprehensively addressing the situation in Rakhine State and the communal violence in the country. His Government had provided $2 million in humanitarian assistance for relief, rehabilitation and community-building measures in Rakhine State. It encouraged Member States to engage with Myanmar to foster reconciliation and economic development.

65. **Mr. Nina** (Albania) said that the reform process in Myanmar needed international support; his Government therefore welcomed the November 2013 visit to the country of the delegation led by the OIC Secretary-General and the Joint Communiqué between the Central Committee for Implementation of Stability and Development in the Rakhine State of the Republic of the Union of Myanmar and OIC. The 2012 General Assembly resolution on the situation of human rights in Myanmar could have been the last such text considered by the Committee if the Government of Myanmar had honoured its assurances regarding the Rohingya minority in Rakhine State. His Government remained concerned about the human rights of that minority. Unless the root causes of discrimination against the Rohingya and other ethnic and religious groups were addressed, the democratization process would not be credible. The Myanmar Government should work with the international community to implement the draft resolution without politicization. Any implied reservation would render those efforts ineffective.

66. **Mr. Kim** Song (Democratic People's Republic of Korea) said that his Government objected to country-specific resolutions as a matter of conscience. Since the cause of human rights could be advanced only through dialogue and cooperation, such resolutions should be abandoned.

The meeting rose at 12.10 p.m.

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Chair: Mr. Tafrov ..... (Bulgaria)

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(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

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The meeting was called to order at 3.15 p.m.

Agenda item 69: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/68/L.42/Rev.1, A/C.3/68/L.56 and A/C.3/68/L.57)

1. **Ms. Astiasarán Arias** (Cuba), speaking on behalf of the Movement of Non-Aligned Countries, said that the members of the Movement continued to strongly oppose the selectivity, double standards and politicization reflected in the four country-specific draft resolutions submitted to the Committee. Such resolutions, which tended to target developing States, breached the principles of universality, objectivity and non-selectivity that should be observed when addressing human rights issues.

2. The Human Rights Council had an important role to play as the United Nations organ responsible for the consideration of human rights situations in all countries within the framework of the universal periodic review. The universal periodic review must be an action-oriented, cooperative mechanism based on objective and reliable information; moreover, it must involve an interactive dialogue with the countries under review, to be conducted in a transparent, non-selective, constructive, non-confrontational and non-politicized manner.

3. Regardless of whether the draft resolutions submitted under the current item were based on facts or allegations, the fact remained that they targeted members of the Non-Aligned Movement on the basis of purely political motivations; as such, they served only to increase the politicization of human rights issues and negatively affected the credibility of the Human Rights Council, which was the competent body to assess the human rights situations in all countries independently of their level of development and political positions. She therefore urged all delegations to vote against the country-specific draft resolutions.

Draft resolution A/C.3/68/L.42/Rev.1: Situation of human rights in the Syrian Arab Republic

4. **The Chair** announced that the draft resolution had no programme budget implications.

5. **Mr. Al-Mouallimi** (Saudi Arabia), introducing the draft resolution, said that Albania, Andorra, Austria, Botswana, Colombia, Comoros, Cyprus, Czech Republic, Finland, Georgia, Greece, Ireland, Latvia, Liechtenstein, Lithuania, Monaco, Montenegro, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Seychelles, Somalia, Sweden and Switzerland had joined the sponsors. Since the Syrian Government insisted on clinging to power and continuing to commit heinous crimes against its people, his delegation was regrettably obliged to submit a third draft resolution on the situation of human rights in the Syrian Arab Republic. Recent United Nations reports had indicated that over a hundred thousand people, most of them civilians, had been killed as a result of the conflict, around 9 million people had been displaced, almost half the Syrian population was in severe need of food aid, disease was spreading and the threat of death loomed over 2.5 million people.

6. While the Non-Aligned Movement, of which Saudi Arabia was a member, generally opposed country-specific resolutions, the current draft resolution was a special case; the world could not stand and watch while the Syrian regime committed such abominable human rights violations against its own people. In contrast with the efforts of the Syrian Government to stall international peace talks, the sponsors of the draft resolution called for the convening of a second Geneva conference and the implementation of the communiqué issued on 30 June 2012 by the first Geneva conference on Syria, which had recommended the establishment of a transitional governing body.

7. The references in the draft resolution to the massacre in the Ghouta area of Damascus were justified, since the report of the United Nations Mission to investigate allegations of the use of chemical weapons in the Syrian Arab Republic had confirmed that the missiles had been fired from areas controlled by the Syrian Government. The international community must ensure not only that all chemical weapons in the country were destroyed, but also that those individuals responsible for using them were brought to justice. Voting in favour of the draft resolution would reaffirm the human rights principles that formed the pillars of the United Nations; voting against it would only encourage the Syrian regime to continue committing its shameful crimes.

8. **Mr. Gustafik** (Secretary of the Committee) said that Kiribati had joined the sponsors of the draft resolution.

9. **The Chair** said that a recorded vote had been requested on draft resolution A/C.3/68/L.42/Rev.1.

10. **Mr. Khazaee** (Islamic Republic of Iran), speaking in explanation of vote before the voting, said that his delegation opposed the continued practice of adopting country-specific draft resolutions, which was in breach of the principles of universality, objectivity and non-selectivity. It also undermined efforts to protect human rights through the universal periodic review, which was the principal mechanism mandated to review human rights in all Member States, without distinction. Increasing numbers of illegal acts by terrorist and extremist groups posed an increasing threat in the Syrian Arab Republic; Member States had a duty to support a Syrian-led dialogue aiming to achieve a peaceful political solution, and they should not resort to adopting country-specific draft resolutions. The current text was a deviation from efforts to resolve the Syrian crisis peacefully and contravened international law in letter and in spirit. Moreover, it failed to mention the recent Israeli air strikes and terrorist acts which constituted a violation of Syrian sovereignty. His delegation firmly condemned the use of chemical weapons, for which armed terrorist groups were responsible. For the reasons stated above, his delegation would vote against the draft resolution.

11. **Mr. Ja'afari** (Syrian Arab Republic) said that his delegation supported the statements made by the representatives of the Islamic Republic of Iran and Cuba regarding the position of the Non-Aligned Movement on country-specific resolutions. His delegation objected to the repeated exploitation of the Third Committee's work to serve political aims. The representative of Saudi Arabia had failed to consult the Syrian delegation regarding the draft resolution and had no right to criticize the situation of human rights in the Syrian Arab Republic, when its own track record in human rights was appalling. Moreover, the Saudi regime was impeding a peaceful, political, Syrian-led resolution to the crisis in accordance with the relevant Security Council resolutions. It was funding armed *takfirist* terrorists — indeed, an attack had been carried out that day in Lebanon by terrorists who followed the Saudi Arabian *takfirist*, Wahhabist, *salafist* doctrine.

12. Saudi Arabia was the only country in the world that had not formally declared its support for a second Geneva conference. It was also actively discouraging opposition groups from participating in such a conference. It was the only country to have refused a visit from the Joint Special Representative of the United Nations and the League of Arab States for Syria. Instead of supporting the efforts of the Special Representative, Saudi Arabia had continued to foment bloodshed through a combination of *takfirist* terrorism and chemical weapons. Respect at the United Nations could not be bought; it could only be earned by respecting the Charter of the United Nations and the provisions of international law, which included non-interference in the internal affairs of Member States.

13. Member States should support the Syrian Government in its fight against *takfirist* terrorist groups, for whose survival Saudi Arabia, Qatar and Turkey bore full responsibility. Numerous reports had shown that Saudi Arabia was involved in smuggling thousands of mercenaries into Syria to engage in jihad to change the political situation by force, in flagrant breach of the right of peoples to self-determination. Paragraph 20 of the sixth report of the Independent International Commission of Inquiry on Syria, had highlighted the convergence of the position of Saudi Arabia with that of Al-Qaida; both had, at the same time, appealed for so-called jihad in Syria and for funds and weapons for armed terrorist groups. Fatwas issued by sheikhs in Qatar and Saudi Arabia referred to Syria as occupied territory and stated that so-called jihad there was a divine commandment. However, Palestine, the Syrian Golan and part of south Lebanon were the true occupied territories, and large parts of Saudi Arabia and Qatar were also occupied in that they hosted foreign military bases. The key to that apparent contradiction had been provided by none other than the Israeli Prime Minister Netanyahu who, in a recent interview with the French newspaper *Le Figaro*, had said that Saudi Arabia and Israel spoke with the same voice.

14. Saudi Arabia, as a country which had not signed the International Covenant on Civil and Political Rights, did not allow its people to participate in political and judicial institutions and denied women their basic rights. Its fatwas banned women from driving a car, travelling alone or even riding a bicycle. It was surreal that such a country could presume to

teach human rights to the Syrian Arab Republic, which had been a State party to the International Covenant on Civil and Political Rights since 1969, and had created its parliament, whose members included women, in 1919. The Saudi regime had arrogated to itself the right to speak for Syrians, but it had been unable to absorb Article 2, paragraph 7, of the Charter of the United Nations, which prohibited intervention in matters that were essentially within the domestic jurisdiction of any State. For those reasons and in the interests of maintaining the credibility of the United Nations human rights mechanism, his delegation had requested a recorded vote on the draft resolution and urged Member States to vote against it.

15. **Ms. Solórzano-Arriagada** (Nicaragua) said that her delegation regretted that the Third Committee was once again being exploited to advance political aims through the adoption of country-specific resolutions, which served only to politicize human rights issues. No single country could claim to be the sole defender of human rights; the Human Rights Council, with its universal periodic review, was the main body responsible for assessing human rights in all countries on an equal footing based on the principles of universality, impartiality, objectivity and non-selectivity and in a spirit of constructive dialogue. For those reasons, her delegation disassociated itself from all decisions taken at the present meeting.

16. **Ms. Al-Thani** (Qatar) said that the draft resolution was a response to the continued flagrant violations of human rights in the Syrian Arab Republic. Violence in the country had escalated, civilians had been killed, journalists were being targeted, people were being denied treatment for injuries, many were suffering starvation or being subjected to sexual violence and thousands had been unlawfully arrested and imprisoned. The General Assembly could not stand by while the Syrian regime continued to commit heinous violations of international human rights law on a daily basis. She therefore urged States to vote in favour of the draft resolution.

17. **Mr. Eler** (Turkey) said that his delegation categorically rejected a certain delegation's misrepresentation of the situation in the Syrian Arab Republic. It would continue to stand in solidarity with the Syrian people, whose voice could not be heard at the present session.

18. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her delegation firmly rejected the practice of adopting country-specific resolutions in line with its commitment to peace, mutual understanding and respect for the internal affairs of States. The draft resolution gave a biased account of the situation in the Syrian Arab Republic, failed to take account of recent progress achieved voluntarily by the Syrian Government and other interested parties in resolving the crisis, and set undue conditions for a peaceful resolution. The international community should support all efforts made to put an end to the violence and achieve a Syrian-led solution, without any foreign interference. Any action taken by the United Nations must be based on genuine international cooperation, non-selectivity, non-politicization, and respect for the national sovereignty and territorial integrity of States. Human rights issues should be addressed on equal terms in all parts of the world through the universal periodic review mechanism. Her delegation would therefore vote against the draft resolution and urged other Member States to do the same.

19. **Mr. Koko** (Côte d'Ivoire) announced that his delegation wished to be removed from the list of sponsors.

20. **Mr. Lasso Mendoza** (Ecuador) said that his delegation was concerned about the recent deterioration of the human rights situation in the Syrian Arab Republic. It condemned all human rights violations; there should be no impunity for those responsible for committing acts of violence or supplying arms to parties to the conflict, including to armed terrorist groups. His delegation expressed solidarity with the victims of violence and their families, but would vote against the draft resolution because the text gave an imbalanced, polarized account of the conflict and would not help to achieve a peaceful solution with full respect for Syrian sovereignty and independence. The practice of presenting such draft resolutions to the Third Committee served only to politicize human rights matters that should in any case be addressed by the Human Rights Council.

21. **Mr. Kim Song** (Democratic People's Republic of Korea) said that the draft resolution was not the consequence of alleged human rights violations but an attempt by the main sponsors to misrepresent the situation in the Syrian Arab Republic and exert pressure on its Government. Human rights situations in

all countries should be assessed equally through the universal periodic review on the basis of impartiality, objectivity and non-selectivity. Country-specific resolutions were anachronistic and had nothing to do with protecting human rights. For those reasons and in line with the principles of respect for sovereignty and non-interference, his delegation would vote against the draft resolution.

22. **Ms. Belskaya** (Belarus) said that her delegation opposed country-specific resolutions, which contributed nothing to the promotion of human rights, particularly in conflict situations, and lacked the involvement and consent of the States that they targeted. The draft resolution was a tool to exert pressure on the Syrian Government and it undermined the principles of respect for sovereignty, territorial integrity and non-interference in internal affairs enshrined in the Charter of the United Nations; moreover, its adoption would not promote dialogue between the parties to the conflict, facilitate international efforts to resolve the crisis or lead to a de-escalation of the violence. Her delegation would therefore vote against the draft resolution.

23. **Ms. Astiasarán Arias** (Cuba) said that her Government maintained its position of opposing country-specific resolutions which levelled selective accusations against nations in the South and adopted a selective approach to human rights. It also rejected any attempt to undermine the independence, sovereignty and territorial integrity of the Syrian Arab Republic. The international community should support any effort which contributed to safeguarding peace and stability in that country. Her delegation supported all efforts to find a political solution to the current situation and was opposed to punitive and condemnatory measures against the Syrian authorities. Genuine international cooperation — based on the principles of objectivity, impartiality and non-selectivity — was the only way to effectively promote and protect all human rights for all persons. Her delegation would once again vote against the draft resolution.

24. **Mr. Sarki** (Nigeria) said that the human rights situation in the Syrian Arab Republic was unacceptable. His delegation would have supported a draft resolution that could put an end to the deaths of innocent people and the piecemeal destruction. However, a dispassionate, objective, and peaceful approach was needed; only a political solution based on commitment to dialogue by all concerned parties could bring peace. Ultimately, it was the Syrian people who would continue to bear the brunt of the conflict and the burden of reconstruction, reconciliation and resettlement of refugees and displaced persons. All sides to the conflict must bear responsibility for their actions — whether they sought peace or refused to accept the peaceful settlement of the conflict through dialogue.

25. Country-specific resolutions should be applied as redemptive measures aimed at addressing human rights violations, regardless of where they were committed or by whom. They should be applied prudently and on a case-by-case basis. They should recognize the independence, sovereignty, territorial integrity, dignity and respect of all countries. In conflict situations involving two or more parties, and in which the responsibility for specific violations was known, it was difficult to realistically implement resolutions that seemed to sanction only one party to the conflict and embolden the other parties rather than lead to dialogue and reconciliation. Only a Syrian-led solution, based on inclusive and transparent negotiations, could bring about an end to the tragic conflict. His delegation called on all parties to the conflict to respect the lives of their fellow citizens, commit to peaceful resolution of the conflict, engage in dialogue, and support the peace process that was under way based on the Geneva communiqué of 30 June 2012. Because of its principled position against country-specific resolutions, his delegation would abstain from voting on the draft resolution.

26. *A recorded vote was taken on draft resolution A/C.3/68/L.42/Rev.1.*

In favour:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Egypt, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg,

Madagascar, Malawi, Malaysia, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen.

Against:

Belarus, Bolivia (Plurinational State of), China, Cuba, Democratic People's Republic of Korea, Ecuador, Iran (Islamic Republic of), Nicaragua, Russian Federation, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Armenia, Bangladesh, Bhutan, Brunei Darussalam, Côte d'Ivoire, Democratic Republic of the Congo, El Salvador, Ethiopia, Fiji, Ghana, Guyana, India, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Mali, Mozambique, Namibia, Nepal, Niger, Nigeria, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Tajikistan, Togo, Trinidad and Tobago, Turkmenistan, Uganda, United Republic of Tanzania, Viet Nam, Zambia.

27. *Draft resolution A/C.3/68/L.42/Rev.1 was adopted by 123 votes to 13, with 46 abstentions.*

28. **Mr. Khan** (Pakistan) said that his delegation had supported the draft resolution because of the massive human rights violations taking place in the Syrian Arab Republic. His delegation had repeatedly called for an end to the use of arms and to the military conflict, and for a political solution through diplomacy. In that regard, a second Geneva conference should be convened as soon as possible. His Government had strongly condemned the use of chemical weapons in the Syrian Arab Republic, which had killed hundreds of men, women and children. Nevertheless, his delegation would have liked paragraph 1 of the draft resolution to state that the United Nations had yet to assign responsibility for the use of chemical weapons in that country; conclusive evidence was needed before responsibility could be determined.

29. **Mr. Errázuriz** (Chile) said that his delegation had joined in the international community's condemnation of the massive human rights violations in the Syrian Arab Republic. It condemned the use of force against unarmed civilians, and reiterated the need to bring the perpetrators — whether from the Government or the opposition — to justice, including for crimes against humanity. In that respect, he welcomed the fact that the draft resolution reflected recommendations made by the Independent International Commission of Inquiry on the Syrian Arab Republic in various reports. The Commission should be granted the access required to carry out its work. Chile condemned the use of chemical weapons on 21 August, noting that the United Nations Mission to Investigate Alleged Uses of Chemical Weapons in the Syrian Arab Republic had confirmed in its report the relatively large-scale use of such weapons, without explicit reference to the entities in control of the sector from which the arms had been launched. His Government welcomed the Syrian Arab Republic's accession to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. According to Security Council resolution 2118 (2013), no party in Syria should use, develop, produce, acquire, stockpile, retain, or transfer chemical weapons.

30. While recognizing the efforts made by the League of Arab States and the Organization of Islamic Cooperation and reiterating the important role of regional organizations in maintaining international peace and security, his delegation noted that the decisions and conclusions reached by those entities were only applicable to their members.

31. It was crucial to end the militarization and flow of arms. In that respect, his delegation fully supported the call made by the Secretary General and the Joint Special Representative of the United Nations and the League of Arab States for Syria for parties to seek a political solution to the conflict. An inclusive political

and institutional solution must be forged by the Syrians themselves and should ensure the establishment of a fully democratic State. His delegation looked forward to the early convening of a second conference on the Syrian Arab Republic in order to implement the Geneva communiqué with full respect for the sovereignty and territorial integrity of the Syrian Arab Republic and in accordance with the principles of the Charter of the United Nations.

32. **Mr. Odisho** (Iraq) said that his delegation supported the efforts to find a political solution to the crisis in the Syrian Arab Republic, and it strongly condemned the use of internationally-prohibited weapons against unarmed civilians. It also condemned all parties responsible for violating human rights in that country. Although his delegation had voted in favour of the draft resolution, it had reservations concerning the tenth preambular paragraph, which referred to the League of Arab States resolution 7667 adopted on 1 September 2013. It was important to await the results of the work of the Independent International Commission of Inquiry on the Syrian Arab Republic.

33. **Mr. Patriota** (Brazil) said that his delegation had voted in favour of the draft resolution. Nevertheless, it opposed the methodology used by several groups of States in negotiating country-specific resolutions that did not allow for an open, democratic consideration of the relevant text. His delegation would have liked the draft resolution to clearly state that there could be no military solution to the conflict. The absence of such an explicit reference had prevented his delegation from voting in favour of the previous General Assembly resolution 67/262 on that subject, adopted in May 2013. Nevertheless, his delegation welcomed the inclusion of language that acknowledged the reports prepared by the Independent International Commission of Inquiry on the Syrian Arab Republic of the Human Rights Council. Their conclusions and recommendations contained strong messages for all parties, including the Syrian Government, and important messages for the international community, the General Assembly and the Security Council.

34. His delegation condemned in particular the continued flow of weapons to Syrian territory, which was contributing to the human rights violations perpetrated there. Furthermore, unilateral sanctions were having a negative impact on the civilian population. His delegation welcomed the acknowledgment of positive developments on the subject of chemical weapons, including the Syrian Government's accession to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

35. His delegation strongly encouraged States that recommended the referral of human rights violations to the International Criminal Court to become members of that Court themselves. Brazil valued the efforts of the League of Arab States to engage with the Syrian Government with a view to ending all violence and laying a solid foundation for the establishment of a political dialogue in the country. However, non-member countries were not bound by the decisions adopted by the League of Arab States. He called upon all parties in the Syrian Arab Republic to comply with all relevant United Nations resolutions, and in particular, on that country's authorities to fully implement the recommendations contained in the report of the Commission and to cooperate with the Commission. He reiterated his delegation's call for an immediate end to all forms of violence in that country. Pursuant to article 4 of the International Covenant on Civil and Political Rights, basic human rights could not be suspended in times of political turmoil or public emergency. Convinced that respect for the human rights and fundamental freedoms of all individuals was essential in order to establish an environment that was conducive to a political settlement in the Syrian Arab Republic, his delegation supported efforts for the early convening of a second Geneva conference.

36. **Ms. Tambunan** (Indonesia) said that country-specific resolutions were often counter-productive to the Committee's joint efforts to promote and protect human rights. Nevertheless, her delegation remained deeply concerned about the ongoing conflict in the Syrian Arab Republic. In the light of the deaths of thousands of people and the widespread destruction, all parties to the conflict must be urged to immediately cease their acts of violence and hostilities, to demonstrate the utmost respect for human rights and humanitarian law, and to ensure unimpeded and safe humanitarian access to those in need. All parties to the conflict should steadfastly pursue a peaceful resolution to the conflict through an inclusive, Syrian-led political process. Her delegation had thus voted in favour of the draft resolution.

37. His delegation welcomed the emphasis placed in the text on the immediate ending of all forms of violence and the importance attached to unimpeded and safe humanitarian access. It also welcomed the explicit reference to the convening of a second Geneva conference. The international community should stand united in calling for an immediate end to the violence, the provision of humanitarian assistance, and the launching of a Syrian-led political process.

38. **Mr. Ja'afari** (Syrian Arab Republic) said that his Government strongly condemned the use of chemical weapons in the Syrian Arab Republic. The regimes of Saudi Arabia and Qatar were responsible for sending such weapons to *takfirist* groups for use in Syria, a situation of which his Government had formally warned the United Nations in identical letters to the Secretary-General and the President of the Security Council in December 2012. In addition, in March 2013, only 18 hours after chemical weapons had been used by terrorist groups in the Khan al-Assal area of Aleppo province, his Government had requested the United Nations for assistance in establishing, first, whether chemical weapons had been used and second, the identity of the perpetrators. The Secretariat had recused itself from responding to the second part of the request. Furthermore, the massacre in the Ghouta area of Damascus had been perpetrated by the same terrorist groups responsible for the attack in Khan al-Assal, which had attempted to thwart the investigations of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic.

39. Given that Saudi Arabia had refused to receive any Syrian refugees and had recently elaborated a plan to expel 5 million foreign workers in the space of five days, Saudi Arabia could not claim to be genuinely concerned with defending human rights. The draft resolution would do nothing to end the crisis in the Syrian Arab Republic. His delegation supported the convening of a second Geneva conference and all efforts to promote peace based on Syrian-led dialogue. Pressure must be exerted on the regimes of Saudi Arabia, Qatar and Turkey to end their lies, double standards and deceitful practices, which were fuelling the Syrian crisis.

40. **Ms. Perceval** (Argentina) said that the humanitarian and human rights situation in the Syrian Arab Republic was the result of the uninterrupted militarization of the conflict and the growing violence being exercised against the civilian population. The only possible solution to the crisis was through political dialogue without preconditions and involving all sectors of Syrian society. Her delegation had supported initiatives on human rights and humanitarian situations in that country at meetings of the Committee, the Human Rights Council and the Security Council, as such initiatives sent a message to all parties to put an end to the violence in the country and called for a negotiated political solution.

41. The draft resolution contained elements of great importance, including the condemnation of all violations of human rights and international humanitarian law; the call for an immediate end to that situation; the reference to the use of chemical weapons as a serious crime and a crime against humanity; the reference made to referring the case on the Syrian Arab Republic to the International Criminal Court; support for the Geneva communiqué of 30 June 2012 and any initiative seeking a political solution to the crisis; and the recognition of the efforts being made by neighbouring countries in the region to provide assistance to the overwhelming number of refugees. In that respect, her delegation vehemently condemned the terrorist attack against the Iranian embassy in Beirut, which had taken place that day. It extended its condolences to the victims' families and expressed its solidarity with those injured and with the Governments and people of Lebanon and Iran. That act of extreme violence was also a sign of instability caused by the exacerbation of the tensions in the region.

42. Nevertheless, her delegation could not support some aspects of the draft resolution that extended well beyond humanitarian and human rights matters. First, although some of her delegation's concerns had been incorporated in the text, draft resolutions should be open to broad consultations, to ensure a more representative a message with a greater impact. Second, while the Syrian Government bore primary responsibility for protecting and guaranteeing human rights in the country, it was crucial to recognize that the armed opposition groups had committed war crimes and crimes against humanity and serious human rights and international humanitarian law violations that should have been reflected in a more balanced way in the document. Third, the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic had a strict mandate to determine whether chemical weapons had

been used in the Syrian Arab Republic, but not by whom, nor did the General Assembly have a mandate to identify responsibility. Yet, the draft resolution intimated that the Syrian Government was responsible for the attacks of 21 August in the Damascus area. Her Government would leave the attribution of responsibility to judicial institutions. In the meantime, as a non-permanent member of the Security Council, it would continue to support the implementation of its resolution 2118 (2013) on the elimination of the chemical weapons programme in the Syrian Arab Republic. Fourth, her delegation disassociated itself from any reference made to the decisions of organizations of which Argentina was not a member, and negotiations in which it had not participated, such as in the tenth preambular paragraph and paragraph 19 of the draft resolution. Lastly, her delegation regretted that the draft resolution had not included an explicit request to avoid further militarization of the crisis, including a call to halt the supply of arms to all parties in the conflict.

43. In May 2013, a diplomatic initiative by the Russian Federation, with support from the United States of America and most of the international community, had opened the door to a political solution to the crisis. Steadfast efforts must be made in the context of the international conference to implement the Geneva communiqué.

44. **Ms. Ilić** (Serbia) said that her delegation had voted in favour of the draft resolution, aware of the deterioration of the human rights situation in the Syrian Arab Republic and out of concern for the suffering of civilians, particularly women and children, in the ongoing conflict. The main goal of the draft resolution was to ensure respect for and protection of human rights and international humanitarian law by all sides in the conflict, while the establishment of accountability for the use of chemical weapons was within the mandate of other relevant United Nations bodies.

45. **Ms. Tham** (Singapore) said that her delegation maintained its principled position against country-specific resolutions. Its abstention should not be considered to imply a particular position on the human rights situation in the country concerned, or as condoning the mistreatment of citizens. Singapore remained deeply concerned about the deteriorating situation in the Syrian Arab Republic, which had already claimed many innocent Syrians, had displaced millions of persons and affected stability in the region. Her delegation had also specifically condemned the use of chemical weapons in that country, and called upon all Member States to promote and protect all human rights and fundamental freedoms.

46. **Mr. Viktorov** (Russian Federation) said that his delegation had voted against the draft resolution, which had been submitted in an attempt to turn the Committee into a body that rubber-stamped politicized country-specific resolutions as a means of exerting pressure on a Member State's Government. That approach was unacceptable. The document had generated an atmosphere of confrontation and distrust in the General Assembly at a time when the international community needed to work together to achieve a political and diplomatic solution to the crisis in the Syrian Arab Republic. The joint initiative of the Russian and United States delegations to convene an international conference on the situation in the Syrian Arab Republic needed unconditional support. Strong signals should be sent to both sides of the Syrian conflict to immediately start dialogue in order to end the violence and implement a political transition based on the Geneva communiqué of 30 June 2012.

47. The draft resolution went against the logic of a political and diplomatic solution by placing the main responsibility for the situation in the country on the Government, while it was the foreign-based opposition that should be urged to start negotiations with the authorities. The draft resolution undermined the positive impetus from the framework agreements between his country and the United States on eliminating chemical weapons in the Syrian Arab Republic, as enshrined in Security Council resolution 2118 (2013), which unconditionally approved the Geneva communiqué.

48. The draft resolution made sweeping accusations against the Syrian authorities, in relation to human rights violations, but made no reference to the many crimes of the anti-government armed groups or the often cruel torture and killings of civilians, shelling of civilian neighbourhoods, schools and other civilian facilities, or to hostage-taking and the ethnic cleansing raids against Christian, Alawite and Kurd neighbourhoods. The draft resolution requested that the Syrian authorities ensure access to humanitarian assistance, but ignored the fact that the main threat to humanitarian operations in the country came from the armed opposition groups that had seized built-up areas,

were using citizens as human shields and were impeding the establishment of a humanitarian truce.

49. The presidential statement of the Security Council of 2 October 2013 had condemned the terrorist attacks carried out by organizations and individuals associated with Al-Qaida and called on all parties to commit to putting an end to terrorist acts. Yet the sponsors of the draft resolution clearly sought to conceal the presence of international terrorism in the Syrian Arab Republic. His delegation was committed to swiftly achieving a peaceful settlement in that country, and was doing its utmost to ensure that the second Geneva conference was convened as soon as possible.

50. **Mr. Wang** Min (China) said that his delegation had long been concerned at developments in the Syrian Arab Republic; a political solution was the only way forward for the international community. His delegation supported the efforts on verification of the elimination of chemical weapons being carried out by the United Nations and the Organisation for the Prohibition of Chemical Weapons, and stood ready to work with all parties concerned to ensure that the international conference to implement the Geneva communiqué could be convened as soon as possible. The political process should be led by the Syrian people. His Government could support and respect any solution that was acceptable to the parties to the conflict, and would endeavour to help ensure that a comprehensive and long-term solution to the situation in the Syrian Arab Republic could be found.

51. **Ms. Loew** (Switzerland) reiterated her delegation's firm condemnation of all human rights and international humanitarian law violations in the Syrian Arab Republic, regardless of their origin. The Independent International Commission of Inquiry on the Syrian Arab Republic must be granted access to the country so that the facts and chains of responsibility could be determined, and the perpetrators of the violations of international humanitarian law brought to justice. Her Government had requested very early on that the Security Council should refer the situation to the International Criminal Court. She urged all stakeholders to strive to ensure the early convening of an international conference to implement the Geneva communiqué in order to halt the escalation of violence and restore respect for international humanitarian law.

52. **Mr. Sparber** (Liechtenstein) said that his delegation wished to underscore the need to strengthen the international community's call for accountability in the Syrian conflict. Without a doubt, serious crimes continued to be perpetrated in that conflict; the use of chemical weapons in the Ghouta area of Damascus was only one in a long list of atrocious crimes committed by both sides to the conflict, albeit on different scales. In its latest report, the Independent International Commission of Inquiry had noted that the perpetrators were undeterred and did not fear future accountability. His delegation hoped that the General Assembly would take a stronger stance in the future, including by calling on the Security Council to refer the situation in the Syrian Arab Republic to the International Criminal Court. Accountability for serious crimes was integral to any attempt at forging sustainable peace. It was thus regrettable that issues of accountability continued to be sidelined in the international community's discussion of the conflict in the Syrian Arab Republic.

Draft resolution A/C.3/68/L.56: Situation of human rights in the Democratic People's Republic of Korea

53. **The Chair** said that the draft resolution had no programme budget implications.

54. **Ms. Kazragienė** (Lithuania), speaking on behalf of the European Union, Japan, and the other sponsors, said that Bosnia and Herzegovina, Marshall Islands, Panama, Papua New Guinea, Republic of Moldova, San Marino, Serbia and Seychelles had joined the sponsors. Although the draft resolution took note of some positive steps taken during the past year by the Government of the Democratic People's Republic of Korea, including its recent signature of the Convention on the Rights of Persons with Disabilities, those developments were outweighed by a general deterioration in the overall human rights situation, with substantive improvements still lacking.

55. Very serious concerns were outlined in the draft resolution, but regrettably, the Government had as yet refused to cooperate fully with the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea and with the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, including by granting full, free and unimpeded access to the country. That State must also engage in negotiations on the human rights issues covered in the draft resolution. The sponsors strongly urged the Government to immediately put an

end to the human rights violations in the country. It was the Committee's responsibility to speak out on behalf of the victims in the Democratic People's Republic of Korea by adopting the draft resolution; failure to do so would send the political signal that the situation had improved, which was not the case.

56. **Mr. Kim** Song (Democratic People's Republic of Korea) said that his Government rejected the draft resolution, which was politically motivated and based on fabrications arising from the United States' hostile policy against his country in the context of its North Korean Human Rights Act of 2004. The draft resolution also served as political propaganda by the United States of America and its followers — the European Union and Japan in particular — aimed at undermining the realities of his country's political and social system. The draft resolution used human rights as a pretext to turn its people against the Government and bring about a regime change, which was an act of State-led political terrorism. The human rights issues mentioned in the draft resolution did not exist in his country, where human rights and fundamental freedoms were fully guaranteed.

57. His Government had been warning of the negative impact of the adoption of such draft resolutions on global efforts for the promotion and protection of human rights since the Committee's first adoption of such a resolution in 2005. It had also advised the European Union to withdraw the draft resolution and engage in dialogue. Nevertheless, the United States pursued its efforts against his Government year after year, and continued to exert pressure on small developing countries into supporting the adoption of the draft resolution; there was thus no justice or impartiality, and nothing to gain from the adoption of a draft resolution through political and economic pressure. The draft document only served to block dialogue and cooperation among the countries concerned and resulted in distrust and confrontation.

58. **Mr. Yoshikawa** (Japan) said that the human rights situation in the Democratic People's Republic of Korea continued to be a serious concern for the international community. His delegation strongly welcomed and supported the work of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, and noted the Government's refusal to cooperate with the Commission at any level, or with the other human rights mechanisms of the United Nations. The issue of abductions remained a cause of deep concern for the international community, including for his Government, as 12 of the 17 Japanese citizens who had been identified by the Government of Japan as victims of abduction by the Government of the Democratic People's Republic of Korea had not yet been able to return to their homeland, and there were also other cases of possible abduction. Against that backdrop, it was critical to reiterate the international community's grave concern about the situation. His delegation hoped that the adoption of the draft resolution would contribute to a solution to the human rights situation in the Democratic People's Republic of Korea and urged that country's Government to heed the message of the United Nations in good faith and respond to the international community's concerns.

59. *Draft resolution A/C.3/68/L.56 was adopted.*

60. **Mr. Khazaee** (Islamic Republic of Iran) said that his delegation had decided to disassociate itself from the draft resolution because of its firm position against country-specific resolutions; the exploitation of that mechanism, in the Third Committee in particular, ran counter to the principles of universality, non-selectivity and objectivity that should be observed when addressing human rights issues and it undermined the cooperation that was crucial for the promotion of all universally-recognized human rights.

61. **Mr. Patriota** (Brazil) said that his delegation had joined the consensus on the draft resolution. It had taken note of the positive developments in the Democratic People's Republic of Korea, particularly its signing of the Convention on the Rights of Persons with Disabilities, and encouraged that country's Government to take further steps for ratification and to strengthen its cooperation with the United Nations, especially the Commission of Inquiry and the Office of the United Nations High Commissioner for Human Rights. Nevertheless, the human rights situation in the country remained of concern. His delegation therefore urged all States to provide assistance to improve the situation. It also called upon the Government of the Democratic People's Republic of Korea to step up the process in the framework of its agreement of 23 August 2013 with the Republic of Korea to resume reunions of separated families, and urged it to resolve the matter of the abduction of Japanese citizens, including by allowing the return of those persons to their home country.

62. **Ms. Tham** (Singapore) said that her delegation maintained its principled position of being opposed to the adoption of country-specific resolutions, but had joined the consensus as there had been general agreement with the draft resolution.

63. **Ms. Khvan** (Russian Federation) said that her delegation had repeatedly opposed the practice of selective and unilateral country-specific draft resolutions in the Committee. That practice was ineffective and exacerbated confrontation among Member States. While the international community should provide technical assistance in the area of human rights, the primary responsibility for promoting and protecting those rights lay with the States themselves. The United Nations already had a negotiating platform for the consideration of human rights situations in different countries: the universal periodic review, which provided opportunities for constructive dialogue in the area of human rights and was the appropriate framework for consideration of human rights situations in individual countries. For those reasons, his delegation could not support the draft resolution and disassociated itself from the consensus on its adoption.

64. **Mr. Kommasith** (Lao People's Democratic Republic) said that although his delegation had joined the consensus on the draft resolution, that should not be understood as support for country-specific resolutions, which was a selective approach that did not help to address human rights situations. The Human Rights Council and the universal periodic review mechanism were the only appropriate forums for discussing or reviewing the human rights situation in any Member State on an equal basis and without prejudice, double standards or politicization.

65. **Ms. Astiasarán Arias** (Cuba) said that his delegation maintained a firm principled position against country-specific resolutions and selective mandates against nations in the South, as they did not foster cooperation or dialogue, which were so crucial to the work of the United Nations system. The Human Rights Council and its universal periodic review mechanism provided an opportunity to consider human rights situations in all countries on an equal footing and on the basis of constructive dialogue. Only genuine international cooperation based on the principles of impartiality, objectivity and non-selectivity could ensure the promotion and protection of human rights. Her delegation had therefore disassociated itself from the consensus on the adoption of the draft resolution.

66. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that, in accordance with the principles guiding her Government's foreign policy, her delegation had disassociated itself from the consensus on the draft resolution because country-specific resolutions undermined efforts at constructive negotiations and dialogue among parties, efforts which should be free of undue pressure or conditionalities. The universal periodic review of the Human Rights Council was the ideal tool for the impartial, objective and non-selective review of human rights situations in any country in the world. It was through genuine dialogue and cooperation among parties that conflicts should be resolved.

67. **Mr. Lasso Mendoza** (Ecuador) said that the universal periodic review mechanism was the appropriate means for reviewing human rights situations in the world, through clear, non-politicized procedures on an equal basis. All concerned countries should thus contribute to that mechanism. His delegation's position on country-specific resolutions was without prejudice to its position on the human rights situation in the countries concerned. Such resolutions did not help to improve the situation, and only undermined relations between States and hindered constructive dialogue and international cooperation.

68. **Ms. Belskaya** (Belarus) said that her Government maintained a position of principle against country-specific resolutions that established or promoted procedures without the agreement of the country concerned. Despite the adoption of similar resolutions for a number of years, they had not led to a productive dialogue among the interested parties. At the same time, their implementation, in particular the activities of the Special Rapporteur, carried significant budgetary implications. As the initiative did not genuinely promote human rights in the Democratic People's Republic of Korea, Belarus disassociated itself from the consensus on that resolution.

69. **Mr. Kim** Song (Democratic People's Republic of Korea) said that his delegation categorically rejected the draft resolution, which would have an adverse impact on the Korean Peninsula and the already deadlocked dialogue between his Government and the European Union. The main sponsors of the resolution should reflect on human rights violations in their own

countries, which included mass killings of innocent civilians, defamation of religion, racial discrimination and mistreatment of immigrants.

70. The conduct of the Government of Japan was particularly shameful, considering that the abduction issue had been completely resolved through efforts made by the Democratic People's Republic of Korea to implement the Pyongyang Declaration. On the other hand, the fate of 8.4 million Koreans abducted and forcibly drafted by Japan and the 200,000 women forced into sexual slavery during its military occupation were still unknown. Japan's aim was to avoid its responsibility for past crimes. He reminded the Committee of the 1996 report of the Special Rapporteur on violence against women, which had called for Japan to publicly apologize, pay compensation to individual women victims and set up a special administrative tribunal to punish the perpetrators of crimes against humanity. Lastly, he thanked those States that had dissociated themselves from the consensus on adoption of the resolution.

71. **Mr. Zhang** Guixuan (China) said that China disassociated itself from the consensus on the resolution. His Government had consistently maintained that human rights issues should be addressed through constructive dialogue and cooperation as opposed to country-specific resolutions. Politicized criticism and pressure would only lead to confrontation. As such, China called on the international community to assess the situation in the Democratic People's Republic of Korea in an objective, impartial manner, adopt a pragmatic, constructive attitude and pay closer attention to its economic and social development challenges. In that way a genuine contribution could be made to the economic and social development of the Democratic People's Republic of Korea and the stability of the Korean Peninsula.

72. **Mr. Ja'afari** (Syrian Arab Republic) said that his Government disassociated itself from the consensus on the resolution for the same reasons presented by the representative of Cuba on behalf of the Non-Aligned Movement. It maintained a position of principle against country-specific resolutions whereby one State could interfere in the internal affairs of another on the pretext of promoting and protecting human rights. That noble concept should not be politicized or used as a bargaining tool to pressure States. The protection of human rights was a matter that should be dealt with by the Human Rights Council, through the impartial mechanism of the universal periodic review.

Draft resolution A/C.3/68/L.57: Situation of human rights in the Islamic Republic of Iran

73. **The Chair** said that the draft resolution had no programme budget implications.

74. **Mr. Rishchynski** (Canada) expressed sympathy to the victims of that day's terrorist attack in Lebanon, and deplored the loss of life caused by the shocking violence.

75. Introducing the draft resolution, he said that the delegations of New Zealand, Republic of Moldova, San Marino and Seychelles had joined the sponsors of the draft resolution. The Government of the Islamic Republic of Iran should demonstrate a sincere commitment to addressing human rights abuses by allowing the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to visit the country. The Third Committee, as the only United Nations body responsible for addressing international human rights issues, should demonstrate the support of the international community for the people of the Islamic Republic of Iran by supporting the resolution.

76. **Mr. Khazaee** (Islamic Republic of Iran) expressed his delegation's outrage at the terrorist attack in Beirut, which had led to the death and serious injury of many people, including Iranian citizens. He said that his country had been the target of the attack, which was just one of the many ills that it had suffered, in addition to war, assassinations, the bombing of holy and official places, and the imposition of sanctions and resolutions.

77. Before taking action on the draft resolution, the Third Committee should consider whether that approach had ever contributed to the promotion and protection of human rights or whether it had only served to further the political objectives of its initiator. Canada had no representation in Iran and therefore had no accurate information about the situation on the ground. Resolutions submitted to the General Assembly should not be based solely on isolated human rights cases.

78. The Government of Canada had committed many human rights violations against the indigenous peoples and minorities in its country, and had deprived hundreds of thousands of Iranians, including Iranian-

Canadians and their families, of consular services following the severing of diplomatic relations. Canada also supported the Israeli regime, another sponsor, which had committed gross human rights violations against the Palestinian people.

79. The draft resolution relied on poorly resourced and outdated allegations and did not take note of the enormous progress made by his country, including the growing participation of Iranian women in all areas of society. It also did not take into account the unilateral and extraterritorial sanctions imposed against the Iranian people, and ignored the high level of participation in the most recent presidential election. In addition, the resolution requested reports from both the Secretary-General and the Special Rapporteur on the situation of human rights in Iran, which would result in duplication, redundancy and financial implications, all of which had been previously rejected by Canada.

80. The Islamic Republic of Iran had often repeated its intention to cooperate with United Nations human rights mechanisms, had consistently reported to the relevant treaty bodies, and was legally bound to implement its international obligations. It had defended its most recent periodic report on the International Covenant on Civil and Political Rights in 2012 and had appeared before the Committee on Economic, Social and Cultural Rights in 2013. Since the time of the universal periodic review, the relevant authorities had cooperated in the implementation of 123 recommendations. In addition, his Government had extended an invitation to the High Commissioner for Human Rights to visit the Islamic Republic of Iran.

81. All ethnic groups were fairly represented in his country and participated actively in political, electoral, local and national decision-making activities. A Committee had been established to draft a charter of citizenship rights. In addition, all legal complaints filed against journalists had been withdrawn, and a number of women had been promoted to positions of authority. His Government had taken a long-term approach to safeguarding the human rights of its citizens by ensuring compliance with all relevant international human rights commitments. The draft resolution did not acknowledge the positive human rights developments in Iranian society. In view of those considerations, he requested a recorded vote on draft resolution A/C.3/68/L.57 and urged all delegations to vote against it.

Statements in explanation of vote before the voting

82. **Mr. Ja'afari** (Syrian Arab Republic) said that it was inappropriate to adopt a draft resolution on human rights in the Islamic Republic Iran on the same day that its embassy in Beirut had been attacked by *takfirist* terrorists who had killed tens of innocent people. His Government expressed its condolences to the Governments and peoples of the Islamic Republic of Iran and Lebanon and welcomed the Security Council's prompt condemnation of the attacks. All such attacks must be eliminated before they spread to other Member States.

83. His delegation rejected intervention in the domestic affairs of any State for political motives under the pretext of defending human rights. Situations of human rights must be addressed by the Human Rights Council in a spirit of objectivity, non-selectivity and respect for national sovereignty. His delegation objected to the exploitation of the work of the Third Committee to advance States' political aims and welcomed the positions of principle stated by some delegations against politically-motivated draft resolutions. For the reasons given, his delegation would vote against the draft resolution.

84. **Ms. Belskaya** (Belarus) said that the universal periodic review mechanism embodied the principles of non-selectivity, transparency, objectivity, impartiality and respect for national sovereignty, territorial integrity and non-interference in internal affairs. It had already demonstrated its effectiveness in addressing human rights-related issues both in the global context and in the case of individual countries.

85. The Islamic Republic of Iran had undergone the universal periodic review process and had successfully carried out the relevant recommendations; however, the authors of the draft resolution, using subjective approaches and standards, had distorted the situation in the country and its efforts and achievements in connection with the promotion and protection of human rights. As just one example of such progress, the Islamic Republic of Iran had achieved a high ranking in relation to the human development index and was a regional leader for various indicators of social, economic and political development.

86. The draft resolution was being used to exert additional pressure on the Government of the Islamic Republic of Iran and justify the political and economic sanctions that had already been imposed on it. Belarus

would vote against the draft resolution and called on the other delegations to do the same.

87. **Ms. Astiasarán Arias** (Cuba) reiterated his delegation's position of principle against country-specific resolutions and selective measures against countries of the South. The effective promotion and protection of human rights could only be achieved through cooperation and dialogue and with the involvement of the country concerned. The establishment of the Human Rights Council, in particular the universal periodic review mechanism, had made it possible to consider the situation of human rights in all countries equally through constructive dialogue and cooperation based on the principles of objectivity, impartiality and non-selectivity. For those reasons, her delegation would vote against the draft resolution.

88. **Mr. Kim** Song (Democratic People's Republic of Korea) said that his delegation was deeply concerned at the lack of fairness and impartiality demonstrated when addressing the issue of human rights. His Government firmly believed that the human rights issues of individual countries should be addressed within the framework of the universal periodic review mechanism rather than by the Third Committee. The draft resolution on the situation of human rights in the Islamic Republic of Iran was clearly politically motivated tool and would undermine trust among potential partners. In view of the Democratic People's Republic of Korea's principled position against the use of politics, double standards and selectivity in the area of human rights, his Government would vote against the draft resolution.

89. **Ms. Hassan** (Djibouti), speaking on behalf of the Member States of the Organisation of Islamic Cooperation (OIC), said that OIC opposed country-specific resolutions on human rights, which selectively targeted some developing and Islamic countries, and changed the work of advancing the cause of human rights into a political exercise. The draft resolution in question contravened the spirit of cooperation necessary to address the issue and failed to reflect the real situation of human rights in the Islamic Republic of Iran. It was regrettable that, despite positive developments in that country and its cooperation in the framework of the universal periodic review, a draft resolution had nevertheless been submitted. OIC urged all States to oppose the draft resolution.

90. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her delegation would vote against the draft resolution, which was based on a highly politicized approach and did not reflect the reality of the situation of human rights in the Islamic Republic of Iran. No State had the moral authority or the power to reflect on the human rights situation of any other State. The undue pressure that such initiatives brought to bear on the countries concerned only compounded the various obstacles to dialogue and cooperation.

91. The Human Rights Council, in particular the universal periodic review, used appropriate methods to ensure the impartial, objective and non-selective consideration of human rights situations. Transparent international cooperation should prevail against strategic confrontation and should be promoted in strict compliance with the spirit and letter of the Charter of the United Nations, in particular the principle of non-intervention in internal affairs and respect for the sovereignty and territorial integrity of States.

92. **Ms. Khvan** (Russian Federation) said that her Government had consistently opposed the introduction of country-specific resolutions. The universal periodic review mechanism had been established specifically to address the human rights situations in any country, and it had demonstrated its effectiveness and efficiency in that regard. The Russian Federation was surprised by the sponsors' persistence in presenting a draft resolution on the situation of human rights in the Islamic Republic of Iran every year. Her delegation would vote against the draft resolution.

93. **Mr. Fiallo** (Ecuador) said that Ecuador fully supported the work and institutions of the Human Rights Council, which was the appropriate body for consideration of human rights situations, and urged all countries to contribute to the universal periodic review process. Country-specific resolutions were detrimental to relations between States, constructive dialogue and international cooperation. His Government rejected the continued harassment of countries for political reasons and would therefore vote against the draft resolution.

94. *A recorded vote was taken on draft resolution A/C.3/68/L.57.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Cabo Verde,

Canada, Central African Republic, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Against:

Afghanistan, Algeria, Armenia, Bangladesh, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Cambodia, China, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Eritrea, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Lebanon, Nicaragua, Oman, Pakistan, Qatar, Russian Federation, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Cameroon, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Iraq, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Jamaica, Jordan, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Niger, Nigeria, Philippines, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, South Sudan, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Yemen, Zambia.

95. *Draft resolution A/C.3/68/L.57 was adopted by 83 votes to 36, with 62 abstentions.*

96. **Ms. Sutikno** (Indonesia) said that the international community should make collective efforts based on mutual respect, dialogue and cooperation to promote and protect human rights at the global level. The universal periodic review played an important and positive role in strengthening such efforts. Indonesia welcomed the positive pledges and commitments of the new Government of the Islamic Republic of Iran regarding the promotion and protection of human rights. The international community should allow the Islamic Republic of Iran the necessary space for implementation of those pledges and commitments. In light of those considerations and the lack of constructive engagement and genuine dialogue between the proponents of the resolution and the Islamic Republic of Iran, Indonesia had voted against the draft resolution.

97. **Ms. Morgan** (Mexico) said that her Government had voted in favour of the resolution because of the continued violations of human rights in the Islamic Republic of Iran. However, the resolution should have incorporated more constructive, encouraging language in light of the commitments and efforts made by the new Government of the Islamic Republic of Iran, in particular on account of its cooperation with the Human Rights Council.

98. **Mr. Ruidiaz** (Chile) said that all States should make use of the mechanisms of the Human Rights Council. However, when that was not possible, the international community should support the right and obligation of the General Assembly to take action in situations where there were serious, recurring violations of human rights. His delegation had voted in favour of the draft resolution, although it did acknowledge the commitments made by the new President and the progress achieved by the Islamic Republic of Iran. The Government of Chile hoped that those commitments would become concrete actions to address the principal concerns expressed by the international community.

99. **The Chair** said that, as the meeting had continued far beyond its scheduled time, the interpreters would have to leave. He took it that the Committee agreed to continue the meeting in English only.

100. *It was so decided.*

101. **Mr. Patriota** (Brazil) said that his delegation had abstained from voting on the resolution because the text did not adequately reflect the current situation of human rights in the Islamic Republic of Iran. The release of political prisoners, the drafting of a bill of citizen's rights, the appointment of a special assistant for minority affairs, and the appointment of women to positions of authority were all factors to be noted. However, Brazil remained deeply concerned about the rights of minorities, in particular those of the Baha'i community. His Government invited the Islamic Republic of Iran to strengthen cooperation with the United Nations human rights system by allowing the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to visit the country.

102. **Ms. Boissiere** (Trinidad and Tobago) reminded the Committee that the Human Rights Council had been established to address violations of human rights in Member States, in particular through the universal periodic review process and the special procedures mandate holders. The human rights treaty bodies also addressed such violations.

103. The resolutions on the situation of human rights in certain countries appeared to be politicized and selective. The Human Rights Council and treaty bodies should be allowed to discharge their mandates and engage in the impartial examination of human rights violations in any Member State. Since her Government subscribed to the view that mutual dialogue, cooperation and understanding were key to improving human rights situations, it encouraged all Member States to cooperate with the Human Rights Council, special procedures and treaty bodies in that regard. For those reasons, Trinidad and Tobago had abstained from the voting on draft resolutions A/C.3/68/L.57 and A/C.3/68/L.42.

104. **Mr. Hisajima** (Japan) said that his delegation had voted in favour of the resolution, but had not become a sponsor. The Government of Japan had held the ninth Japan-Iran Human Rights Dialogue in September 2013, and welcomed the agreement of the Islamic Republic of Iran to continue that dialogue and also other positive events, such as the increased participation of women in society. It hoped that the Islamic Republic of Iran would continue to engage with the international community and cooperate with special procedure mandate holders and other human rights mechanisms.

105. There were a number of outstanding issues requiring improvement, including the restriction of peaceful assembly and association, freedom of opinion and expression, the use of cruel punishment and the execution of juveniles. Japan welcomed the pledges made by the new President to prioritize the issue of human rights. It was important to build confidence between the international community and the Islamic Republic of Iran, and Japan would continue to actively engage in constructive dialogue and cooperation with that country in order to achieve further improvement the in human rights situation.

106. **Mr. Taula** (New Zealand) said that, while the reported situation of human rights in the Islamic Republic of Iran deserved the full attention of the international community, his delegation recognized that many of the reported human rights violations had occurred during the term of the previous President. Although significant change in the situation would require time, his Government expected the Islamic Republic of Iran to prioritize the improvement of human rights. New Zealand had sponsored the resolution in the hopes that it would serve as a benchmark for measuring future progress. His delegation encouraged the Islamic Republic of Iran to view the resolution in a similar light.

107. **Mr. Caboche** (France) said that his delegation wished to place on record its view that the Chair's decision to continue the meeting without interpretation should not be considered a precedent.

The meeting rose at 6.30 p.m.

United Nations A/C.3/68/SR.49

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Held at Headquarters, New York, on Thursday, 21 November 2013, at 10 a.m.

Chair: Mr. Tafrov ..... (Bulgaria)

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(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

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(a) Promotion and protection of the rights of children (*continued*)

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The meeting was called to order at 10.10 a.m.

Agenda item 69: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/68/L.57)

Draft resolution A/C.3/68/L.57: Situation of human rights in the Islamic Republic of Iran

1. **Ms. Ortigosa** (Uruguay) said that although the Iranian Government had made some progress in the protection of human rights, more efforts were needed to guarantee the full enjoyment of human rights by Iranian citizens. The note by the Secretary-General on the situation of human rights in the Islamic Republic of Iran (A/68/503) drew attention to situations of grave violations of human rights and fundamental freedoms in that country, including through laws that violated the right to freedom of expression and access to information recognized under international law; that note highlighted that there had been an increase in the rate of executions and noted forms of cruel and inhuman punishment, discrimination in employment and in education for religious reasons, and discrimination against ethnic minorities. Her Government rejected such practices, which were in violation of human rights and fundamental freedoms. Nevertheless, progress had been noted in certain categories of rights, which should foster improved cooperation and dialogue between the Iranian Government and the universal system for the promotion and protection of human rights. She urged the Iranian Government to cooperate with that system and to facilitate the visit to that country of the United Nations High Commissioner for Human Rights as soon as possible, without restrictions on the High Commissioner's autonomy. For those reasons, her delegation had abstained from the vote on the draft resolution.

2. **Ms. Murillo** (Costa Rica) said that her country's concern for human rights situations in specific countries had prompted her delegation to support all the country-specific draft resolutions currently before the Committee. Accordingly, it maintained its position of principle that all matters of interest to Member States must be considered on the basis of their substantive merits, including actions taken by countries to improve their human rights situations. Nevertheless, the Human Rights Council, and not the Third Committee, was the main body with the competence to examine human rights issues, and the Council should address serious country-specific situations through the universal periodic review mechanism. However, Members of the Committee should continue to express their views with regard to particularly critical situations affecting basic rights wherever they might occur, on a country-specific basis when necessary. She called upon all States to commit to constructive dialogue and cooperation for the effective promotion and protection of human rights, and was hopeful that the Iranian Government would take the necessary steps to improve the situation to that end.

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/68/L.64)

Draft resolution A/C.3/68/L.64/Rev.1: Protecting Women Human Rights Defenders

3. **Mr. Gustafik** (Secretary of the Committee) announced that Jordan was not a sponsor of the draft resolution.

4. **Mr. Pedersen** (Norway), speaking on behalf of the sponsors of the draft resolution, said that many delegations had participated in the consultations, reflecting the fact that the protection of women human rights defenders was a concern for all. Women human rights defenders around the world faced grave violations to their fundamental rights: intimidation, harassment, threats and violence, including gender-based and sexual violence.

5. Governments did not always have to agree with human rights defenders, but must allow them to speak in an open debate. The fundamental freedoms of expression and association were essential, including for the promotion and protection of economic, social and cultural rights and the right to development. The creation of a safe and enabling environment for human rights defenders should thus be a fundamental objective of any society. Governments must ensure that they were protected in the conduct of their legitimate work, on the basis of non-discrimination and the safeguarding of fundamental freedoms and human rights. Women human rights defenders' special protection needs must be clearly recognized and acted upon. The draft resolution set out the challenges and

particular vulnerabilities that women human rights defenders faced, and called upon States to take effective steps to address that situation. It did not create new rights or privileges for women human rights defenders, but recognized their urgent need of protection. In the revised version of the draft, the title of the draft resolution had been reformulated to reflect the fact that the issue was being addressed in the framework of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms of 1998. A few other revisions had been made to address the concerns of Member States.

6. **Mr. Gustafik** (Secretary of the Committee) announced that Colombia, Costa Rica, Monaco and Uruguay had joined the sponsors.

Agenda item 27: Social development (*continued*)

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/68/L.11/Rev.2)

Draft resolution A/C.3/68/L.11/Rev.2: Promoting social integration through social inclusion

7. **The Chair** said that the draft resolution had no programme budget implications.

8. **Ms. Peña** (Peru) said that Benin, Burkina Faso, Cuba, Dominican Republic, Egypt, Haiti, Honduras, Jamaica, Madagascar, Mali, Mexico, Montenegro, New Zealand, Nicaragua, Thailand, the former Yugoslav Republic of Macedonia, and Trinidad and Tobago had joined the sponsors. Social inclusion was a crucial component of her Government's social policy, which sought the inclusive, non-discriminatory participation of all its citizens without exception, in order to build a more fair, just and equitable society.

9. **Mr. Gustafik** (Secretary of the Committee) announced that Antigua and Barbuda, Bosnia and Herzegovina, Croatia, Cyprus and San Marino had joined the sponsors.

10. *Draft resolution A/C.3/68/L.11/Rev.2 was adopted.*

11. **Ms. Robl** (United States of America) said that her delegation applauded the draft resolution's emphasis on leaving no one behind in the benefits of development. Nevertheless, her delegation had reservations regarding the content of the sixteenth preambular paragraph, as official debt assistance, debt relief, market access and financial and technical support and capacity-building were not germane to the subject of the draft resolution. Social inclusion was driven primarily by policies and practices at the national and local levels.

Agenda item 68: Right of peoples to self-determination (*continued*)

Draft resolution A/C.3/68/L.68: The right of the Palestinian people to self-determination

12. **The Chair** said that the draft resolution had no programme budget implications.

13. **Mr. Gustafik** (Secretary of the Committee) read out an oral revision made by the main sponsor of the draft resolution: In the eighth preambular paragraph, the phrase "and stressing the need to accelerate the negotiations, within the agreed time frame of nine months, for the achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides" had been replaced by "aiming for the achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides within the agreed time frame of nine months".

14. **Mr. Kandeel** (Egypt) said that Belarus, Belize, Costa Rica, Ethiopia, Gabon, Lesotho, Seychelles, Somalia, South Africa, Switzerland, Tajikistan and Zambia had joined the sponsors. The Palestinian people had been suffering the consequences of the longest occupation in modern history and were being denied their inalienable rights, including the right to self-determination. He hoped that adoption of the draft resolution by consensus would help to alleviate the hardships faced by the Palestinian people and contribute to the ultimate realization of the long overdue right to self-determination, with the establishment of East Jerusalem as the capital of the State of Palestine.

15. **Mr. Gustafik** (Secretary of the Committee) announced that Grenada, Jamaica and Kazakhstan and Senegal had also joined the sponsors.

16. **Ms. Furman** (Israel) said that there was no dispute over the right of the Palestinian people to self-determination. Her Government was currently engaged

in negotiations with the Palestinian Authority to reach a peace agreement, which reflected her Government's commitment to two States for two peoples. Israel was prepared to make painful compromises for the sake of peace, but was still waiting for the Palestinian leaders to echo that sentiment and recognize that Israel was a nation-state of the Jewish people. A Palestinian State for the Palestinian people could only be achieved through meaningful negotiations. If the sponsors of the draft resolution wished to genuinely contribute to Palestinian self-determination and to peace in the Middle East, they should support the bilateral negotiations. The previous year's resolution had done nothing to bring the people of Ramallah, Nablus or Gaza City closer to self-determination, nor would the current draft resolution change the situation on the ground. The various issues mentioned in the draft resolution could only be resolved through direct negotiations; efforts outside of that framework would not advance the cause of peace. Her delegation thus called for a vote on the draft resolution and would vote against it.

17. *At the request of Israel, a recorded vote was taken on draft resolution A/C.3/68/L.68.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Cameroon, Papua New Guinea, Tonga.

18. *Draft resolution A/C.3/68/L.68 was adopted by 165 votes to 6, with 3 abstentions.*

19. **Mr. Díaz Bartolomé** (Argentina) said that his delegation reaffirmed its recognition of the inalienable rights of the Palestinian people to self-determination and to establish an independent State. Argentina had thus voted in favour of the draft resolution, just as, on 6 December 2010, it had recognized Palestine as a free and independent State, within the borders established in 1967. Argentina's decision to recognize the Palestinian State was a reflection of its desire to promote negotiation for an end to the conflict and its deep desire for peaceful coexistence among all peoples.

20. The exercise of the right to self-determination required an active subject — a people — subject to alien subjugation, domination and exploitation, as set out in General Assembly resolution 1514 (XV), paragraph 1. Without such a subject, there was no right to self-determination. Argentina welcomed the adoption of the draft resolution and hoped it could contribute to the prompt realization of the right to self-

determination of the Palestinian people, including their right to an independent Palestinian State.

21. **Mr. Mansour** (Observer for the State of Palestine) said that the large number of sponsors of the draft resolution was a testament to the continued support of the international community for the legitimate right of the Palestinian people to fully realize the right to self-determination — a right that was withheld under Israeli occupation. That overwhelming support sent a clear message to Israel that its violations and contempt of international law would no longer be tolerated and that it was expected to comply fully with all of its legal obligations. Clearly, the right of the Palestinian people to self-determination remained a key issue in the Israeli-Palestinian conflict. The resolution was not contrary to peace efforts; rather, it was complementary and vital to the promotion of peace. The right to self-determination had never been one of the permanent status issues, nor would it ever be. It was non-negotiable — a given, inalienable right for all and the sole domain of the Palestinian people. By voting against the resolution, Israel was sending a clear message to the Palestinians that it did not support peace or the right to self-determination, and that it fiercely rejected a real peace settlement based on the existence of two States. For a just peace to be achieved, the basic right to self-determination must be mutually recognized by both parties. Israel denied the inalienable rights of the Palestinian people, denied Palestine its rightful place among the community of nations and rejected its peaceful efforts to advance the rights of its people and a two-State solution. The time had come to hold Israel accountable to the Charter of the United Nations and the rule of international law to which it was held as a Member State — a privilege too long denied to Palestine and grossly abused by Israel. The international community must uphold right above might, and advance a just solution towards fulfilling the inalienable right of the Palestinian people, including the right to self-determination and to establish an independent State of Palestine, with East Jerusalem as its capital, thus allowing for peaceful coexistence for Palestinians and Israelis.

22. **Mr. Gustafik** (Secretary of the Committee) said that the delegation of the Dominican Republic wished to clarify that it was not a sponsor of the draft resolution.

Agenda item 69: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/68/L.36)

Draft resolution A/C.3/68/L.36: Human rights and cultural diversity

23. **The Chair** said that the draft resolution had no programme budget implications.

24. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that China had joined the sponsors. The aim of the draft resolution was to recognize that all cultures and civilizations contributed to enriching humanity; it was thus important to ensure respect for and understanding of cultural and religious diversity throughout the world. It also recognized the importance of the promotion and protection of human rights and respect for cultural diversity to advance peace, human welfare, freedom and progress everywhere and to encourage tolerance, respect, dialogue and cooperation among different cultures, civilizations and peoples.

25. **Mr. Gustafik** (Secretary of the Committee) announced that Brazil had also joined the sponsors.

26. **The Chair** said that a recorded vote had been requested on the draft resolution.

27. **Ms. Astiasarán Arias** (Cuba), speaking on behalf of the Movement of Non-Aligned Countries, asked which delegation had requested the recorded vote.

28. **The Chair** said that the vote had been requested by the delegation of Lithuania on behalf of the European Union.

29. **Ms. Juodkaitė Putrimienė** (Lithuania), speaking on behalf of the European Union in explanation of vote before the voting, said that the European Union attached great importance to the promotion of cultural diversity, which the United Nations Educational, Scientific and Cultural Organization (UNESCO) defined as the manifold ways in which the cultures of groups and societies found expression. According to relevant UNESCO instruments and declarations, cultural diversity could be promoted and protected only if human rights and fundamental freedoms, as well as the ability of individuals to choose cultural

expressions, were guaranteed. Media pluralism and freedom of assembly and of association were essential for the expression of cultural diversity.

30. Cultural diversity implied a commitment to human rights and fundamental freedoms. While different historical, cultural, and religious contexts should be borne in mind, it was the duty of States, regardless of their political, economic or cultural systems, to promote and protect the human rights and fundamental freedoms of all. No room should be left for any form of cultural relativism. To that end, the European Union had proposed using the UNESCO Universal Declaration on Cultural Diversity as a source of agreed language, particularly drawing on the wording set out in article 4 of the Declaration, which stated that no one could invoke cultural diversity to infringe upon human rights guaranteed by international law, or to limit their scope. Regrettably, the new additions to the current draft resolution included references to discriminatory treatment of cultures and religions, shifting the focus away from the individual as the rights holder, which was the fundamental principle for human rights. The European Unions was likewise concerned by the references made in the draft resolution to universally accepted human rights, which could be misinterpreted to imply the existence of human rights that were not universal. Her delegation therefore requested that a recorded vote should be taken on the draft resolution. The Member States of the European Union would vote against the draft resolution and requested that all delegations do likewise.

31. **Ms. Robl** (United States of America) said that cultural diversity had played a critical role in the history of her own country. Her Government strongly supported the promotion of cultural pluralism, tolerance, cooperation and dialogue among individuals from different cultures and civilizations. All Governments were responsible for protecting the rights and freedoms set out in international human rights law. The Charter of the United Nations committed the international community to respect human rights law domestically, but also to promote and encourage respect for human rights and fundamental freedoms abroad for all, without distinction of race, sex, language or religion.

32. Her delegation could not support the draft resolution. It believed that cultural diversity and international human rights could be mutually reinforcing, but was concerned that the concept of cultural diversity as put forward in the draft resolution could be misused to legitimize human rights abuses. Human rights were universal and respect for them enhanced respect for diversity. Efforts to promote cultural diversity should not infringe on the enjoyment of human rights nor justify limitations on their scope. By raising the concept of cultural diversity to the level of an essential objective, while failing to reflect concerns about its possible misuse, the draft resolution misrepresented the relationship between cultural diversity and international human rights law. Cultural diversity and its relationship with human rights law was characterized in a more accurate and balanced way in Human Rights Council resolution 23/10, on which her delegation had joined the consensus in June 2013. Furthermore, UNESCO should not take up initiatives aimed at promoting intercultural dialogue on human rights. The draft resolution contained inaccurate language on the right to development — her delegation maintained that significant work was still needed to develop consensus on the relationship between the right to development and the human rights that individuals held and may demand from their own Government. The draft resolution had not addressed that fundamental concern. For those and other reasons, her delegation would vote against the draft resolution.

33. *A recorded vote was taken on draft resolution A/C.3/68/L.36.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco,

Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

34. *Draft resolution A/C.3/68/L.36 was adopted by 127 votes to 53, with no abstentions.* [1]

35. **Ms. Murillo** (Costa Rica) said that her delegation had voted in favour of the draft resolution because her country attached particular importance to multiculturalism and the contribution that cultures had made to the development of human rights. However, the language in the draft resolution, particularly its paragraph 14, could not be understood to imply an acceptance of cultural relativism in relation to human rights. Human rights should be defended as universal, interdependent and interrelated, as set out in the tenth preambular paragraph.

36. **Mr. Edu Mbasogo** (Equatorial Guinea) said that his delegation had voted in favour of the draft resolution because cultural diversity was an important part of human rights. Part of the world's history was being falsified, and the draft resolution was therefore very important.

Draft resolution A/C.3/68/L.38: Promotion of equitable geographical distribution in the membership of the human rights treaty bodies

37. **The Chair** said that the draft resolution contained no programme budget implications.

38. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that China and the Russian Federation had joined the sponsors of the draft resolution. The draft resolution aimed to achieve more balanced geographical and gender representation in legal, social and political systems, notably in certain human rights treaty bodies. Members of such bodies must be elected based on personal merit; they must be persons of high moral standing known for their impartial judgement and competency in human rights-related issues.

39. **Mr. Gustafik** (Secretary of the Committee) said that Brazil had joined the sponsors.

40. **The Chair** said that a recorded vote had been requested on the draft resolution.

41. **Ms. Astiasarán Arias** (Cuba) asked which delegation had requested the recorded vote.

42. **The Chair** said that the vote had been requested by the delegation of the United States of America.

43. *A recorded vote was taken on draft resolution A/C.3/68/L.38.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic

[1] The delegation of Viet Nam subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Chile.

44. *Draft resolution A/C.3/68/L.38 was adopted by 126 votes to 54, with 1 abstention.*[2]

[2] The delegation of Equatorial Guinea subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

45. **Ms. Juodkaitė Putrimienė** (Lithuania), speaking on behalf of the European Union, said that while the European Union recognized the importance of the principle of equitable geographical distribution, the composition of human rights treaty bodies was already prescribed in the provisions of the respective human rights treaties, some of which already recommended that consideration should be given to equitable geographical distribution. The General Assembly should not attempt to modify those provisions or ask States Parties to do so. The European Union opposed the idea of using a quota system to elect members of treaty bodies; experts were elected based on personal merit and capacity, not as representatives of States or regional groups. For those reasons, the European Union had voted against the draft resolution.

Draft resolution A/C.3/68/L.39: Human rights and unilateral coercive measures

46. **The Chair** said that the draft resolution contained no programme budget implications.

47. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that China had joined the sponsors. The members of the Movement reiterated their opposition to unilateral coercive measures, in particular against developing countries. Under no circumstances should a people be deprived of its means of subsistence and development. Unilateral coercive measures obstructed economic and social development, impeded the full enjoyment of human rights and were contrary to international law and the Charter of the United Nations. The members of the Non-Aligned Movement expressed regret that a certain delegation was again preventing consensus on the draft resolution and urged all delegations to support the draft resolution.

48. **Mr. Oliveira** (Brazil) said that his delegation had joined the sponsors of the draft resolution.

49. **The Chair** said that a recorded vote had been requested on draft resolution A/C.3/68/L.39.

50. **Ms. Astiasarán Arias** (Cuba) asked which delegation had requested the recorded vote.

51. **The Chair** said that the vote had been requested by the delegation of United States of America.

52. At the request of the delegation of the United States of America, a recorded vote was taken on draft resolution A/C.3/68/L.39.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

53. *Draft resolution A/C.3/68/L.39 was adopted by 126 votes to 54, with no abstentions.*[3]

54. **Ms. Robl** (United States of America) said that the draft resolution had no basis in international law, challenged States' sovereign right to freely conduct their economic relations and protect their interests, including in the area of national security, and attempted to undermine the international community's ability to respond to acts which ran counter to international norms. Her Government was not alone in viewing unilateral and multilateral sanctions as a means of achieving its legitimate objectives.

Agenda item 67: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*) (A/C.3/68/L.65/Rev.1)

Draft resolution A/C.3/68/L.65/Rev.1: Combating glorification of Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

55. **The Chair** said that the draft resolution contained no programme budget implications.

56. **Mr. Viktorov** (Russian Federation) said that Ethiopia and the Islamic Republic of Iran had joined the sponsors. Paragraph 36 should be corrected to read: "Encourages States to consider including in their reports ...". In the light of the approaching 70th anniversary of the end of World War II, during which millions of innocent people had been killed as a result of ideologies based on theories of racial and ethnic supremacy, it must be recognized that the

[3] The delegation of Sierra Leone subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

establishment of the United Nations and the adoption of international human rights instruments had been a direct response to the heinous crimes of Nazism. In spite of that, certain countries were opening memorials in tribute to Nazis, declaring days celebrating liberation from Nazism as days of mourning, persecuting war veterans who had fought against Nazism, treating pro-Nazi collaborators and war veterans as heroes; such actions were not a matter of political correctness, but a brazen attempt to falsify history and disproved claims that healthy, democratic societies would automatically reject racist ideas. The glorification of the crimes of Nazism was inadmissible. The sponsors of the draft resolution doubted the intentions of the delegations that had requested a vote, given that every effort had been made to create a balanced draft resolution, taking account of the views of Member States. Member States should fulfil their duty to the founders of the United Nations and to future generations by supporting the draft resolution, which would genuinely contribute to the elimination of racism, racial discrimination, xenophobia and related intolerance.

57. **Mr. Lazarev** (Belarus) said that the United Nations and its Member States should take active steps to combat the spread of extremist movements which presented a threat to democratic values, and supported the call of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance for a balanced combination of legislative and educational measures to counter extremist ideologies, with the involvement of civil society and the media. The implementation of the draft resolution would help to expand international cooperation aimed at eliminating contemporary forms of racism, including cooperation in the context of the universal periodic review. The international community must not forget the lessons of the past or allow the crimes of history to be distorted or denied; condoning the promotion of Nazi ideologies and ethnic superiority or racial supremacy under the guise of freedom of expression would only create new victims. Surely that supposed freedom should not come at the price of a human life. His delegation would therefore vote in favour of the draft resolution, as it had in previous years.

58. **Mr. Gustafik** (Secretary of the Committee) said that Burkina Faso, Burundi, Guinea and Mauritania had joined the sponsors.

59. **The Chair** said that a recorded vote had been requested on the draft resolution.

60. **Mr. Viktorov** (Russian Federation) asked which delegation had requested the recorded vote.

61. **The Chair** said that the vote had been requested by the delegation of United States of America.

62. *At the request of the delegation of the United States of America, a recorded vote was taken on draft resolution A/C.3/68/L.65/Rev.1.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Palau, United States of America.

Abstaining:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland.

63. *Draft resolution A/C.3/68/L.65/Rev.1 was adopted by 126 votes to 3, with 50 abstentions.*

64. **Ms. Robl** (United States of America) said that the draft resolution failed to distinguish between offensive expression, which should be protected, and actions, such as discrimination and violence motivated by bias, which should always be prohibited. Individual freedom of expression and association should be robustly protected, even when the ideas expressed were offensive. States were urged to refrain from invoking article 4 of the Convention on the Elimination of All Forms of Racial Discrimination and article 20 of the International Covenant on Civil and Political Rights to limit freedom of expression or as an excuse for failing to take effective measures. In a free society, hateful ideas would fail. The best antidote was robust legal protection against discrimination and hate crime, proactive government outreach to minority religious groups and vigorous defence of both freedom of religion and freedom of expression, not criminalization of hate speech.

65. **Ms. Juodkaitė Putrimienė** (Lithuania), speaking on behalf of the European Union, said that all expressions of racism must be tackled using a comprehensive framework of measures at the national, regional and international levels. Racism and xenophobia were often rooted in prejudice and ignorance and must be addressed through dialogue, education and awareness-raising. Each State was responsible for combating racism and xenophobia in line with international human rights standards and for bringing to justice anyone found to have incited racial or ethnic hatred or committed racially-motivated crimes.

66. Her delegation welcomed recent revisions to the draft resolution, notably the reformulation of the title to include other practices that contributed to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance in addition to combating the glorification of Nazism; the recognition in paragraph 28 of the positive role of the media; and the amendments made to paragraphs 2, 14 and 17. However, the language used in the draft resolution to address freedom of expression and freedom of peaceful assembly was too restrictive. All contemporary forms of racism, racial discrimination, xenophobia and related intolerance should be addressed in a comprehensive, balanced and non-selective manner, maintaining a clear focus on human rights; education, for example, must cover a range of racist ideologies throughout history. References made in the draft resolution to memorials and national liberation movements were incorrect in human rights terms. In addition, the request made in paragraph 37 for the Special Rapporteur to report on the implementation of selected paragraphs of the draft resolution threatened his independence and obstructed a comprehensive reporting exercise. She also expressed concern over the addition of paragraph 36; States should be allowed to choose what to include in their reports for the universal periodic review and to treaty bodies.

67. **Mr. Fernandez Valoni** (Argentina) said that crimes of religious hatred should be stigmatized and that nothing in the resolution should be understood as restricting freedom of expression. His delegation disagreed with certain references in the text which could expand State powers to restrict freedom of expression, in particular the reference in paragraph 8.

68. **Ms. Loew** (Switzerland) said that the draft resolution targeted only certain contemporary forms of racism. However, all forms of racism were unacceptable. The draft resolution should be incorporated into the omnibus draft resolution on racism sponsored by the Group of 77 and China, which also addressed contemporary forms of racism.

69. **Ms. Larsen** (Norway) said that intolerance must be confronted through dialogue and open debate rather than by restricting the rights to freedom of expression and assembly. The narrow scope and insufficient human rights perspective of the draft resolution remained worrisome. The approaches in the draft resolution to freedom of speech and expression and to the independence of the Special Rapporteur were

regrettable. The biased focus on particular issues not relevant to the human rights agenda did not serve to advance the common struggle against racism, racial discrimination, xenophobia and related intolerance. A more comprehensive, objective and legally appropriate approach should have been adopted.

Agenda item 69: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

Draft resolution A/C.3/68/L.50/Rev.1: National institutions for the promotion and protection of human rights

70. **The Chair** said that the draft resolution contained no programme budget implications.

71. **Ms. Hullman** (Germany) said that Austria, Canada, Denmark, Iceland, Lebanon, Republic of Moldova, Thailand, Tunisia and Switzerland had joined the sponsors of the draft resolution. Twenty years after their adoption, the Paris Principles remained an essential standard for the independence of human rights institutions. The draft resolution emphasized that for a human rights institution to be independent, its staff must not be subjected to any form of reprisal or intimidation as a result of the activities undertaken in accordance with its mandate. It also requested the Secretary General in his subsequent report to evaluate the participation of human rights institutions compliant with the Paris Principles in the work of the General Assembly and explore ways to strengthen that participation.

72. Mr. Gustafik (Secretary of the Committee) said that Costa Rica, Ecuador, Egypt, India, Madagascar, Nigeria, Ukraine, United States of America and Venezuela (Bolivarian Republic of) had joined the sponsors.

73. *Draft resolution A/C.3/68/L.50/Rev.1 was adopted.*

Agenda item 65: Promotion and protection of the rights of children (*continued*)

(a) Promotion and protection of the rights of children (*continued*)

Draft resolution A/C.3/68/L.29/Rev.1: Child, early and forced marriage

74. **Mr. Rishchynski** (Canada), introducing the draft resolution, said that global attention and united efforts were needed to combat child, early and forced marriage. The draft resolution called for further study with a view to promoting the eradication of those practices. His delegation looked forward to the panel discussion on that issue, and invited other delegations to sponsor the resolution.

75. **Ms. Kasese-Bota** (Zambia), introducing the draft resolution, said that Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Central African Republic, Chad, Costa Rica, Cuba, Czech Republic, Denmark, the Dominican Republic, Ecuador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Grenada, Guinea, Hungary, Iceland, Japan, Kazakhstan, Kenya, Kiribati, Latvia, Lebanon, Liechtenstein, Luxembourg, Madagascar, Mali, Malta, Monaco, New Zealand, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Sao Tome and Principe, Seychelles, Sierra Leone, Slovakia, Slovenia, Sweden, Switzerland, Thailand, Togo, Tunisia, Ukraine and Venezuela (Bolivarian Republic of) had joined the sponsors.

76. Child, early and forced marriages hindered children's ability to fully enjoy their rights and decreased their possibility of fulfilling their potential as adults. She hoped that adoption of the resolution would set a precedent for future sessions.

77. **Mr. Gustafik** (Secretary of the Committee) said that Bolivia (Plurinational State of), Eritrea, Mongolia, Nicaragua and Paraguay had joined the sponsors.

78. *Draft resolution A/C.3/68/L.29/Rev.1 was adopted.*

79. **Ms. Loew** (Switzerland) said that Switzerland welcomed the multilateral, human rights-centred approach taken with respect to the issue of child, early and forced marriage, and the decision to incorporate suggestions made by her delegation into the text of the resolution. Switzerland condemned such nefarious

practices against girls and women, which constituted a form of violence as well as violations of their human rights. The terminology used with respect to child, early and forced marriage should be broad enough to include all cases within the scope of national legislations. As the resolution also covered the issue of gender equality, it should have been considered under item 28 of the agenda. In future, the duplication of procedures in Geneva and New York should be avoided.

80. **Ms. Abdulbaqi** (Saudi Arabia) said that Saudi Arabia had adopted a number of measures to guarantee the protection of women and girls against all forms of violence. Her delegation supported the purpose of the resolution. However, religious legislation should be taken into account in accordance with paragraph 5 of the Vienna Declaration and Programme of Action. The position of her delegation was in line with its national obligations and international human rights standards.

81. **Ms. Ortigosa** (Uruguay), speaking on behalf of Costa Rica and Uruguay, said that both delegations afforded great importance to the issue of child, early and forced marriage as well as to the efforts of the Third Committee on that issue. However, it would be more appropriate to consider the issue under another agenda item, in particular as there was already an omnibus resolution on the rights of the child, which had been co-facilitated by Uruguay on behalf of the Group of Latin American and Caribbean Countries in the United Nations, under the present agenda item. Her delegation hoped that the issue of child, early and forced marriage could be considered under the appropriate agenda item at future sessions.

82. **Mr. Escalante Hasbún** (El Salvador) said that his delegation was concerned about the proliferation of issues under agenda item 65. There was already a draft resolution on the girl child under consideration that could have included the issue of child, early and forced marriage. His delegation was not convinced of the need to establish a direct link between child, early and enforced marriage and discussions on the post-2015 development agenda. According to the family code of El Salvador, minors could enter into marriage from the age of 16 years with their parents' permission.

83. **Ms. Al-Dosari** (Qatar) said that her Government had adopted comprehensive policies to promote and protect children's rights and established national mechanisms to protect women and children against all forms of violence. When addressing those issues, the significance of national particularities and various historical, cultural and religious backgrounds must be borne in mind, in accordance with paragraph 5 of the Vienna Declaration and Programme of Action. Her Government's position on the draft resolution was in line with its national legislation and obligations under international human rights law.

84. **Mr. Eshragh Jahromi** (Islamic Republic of Iran) said that his Government had joined the consensus on the resolution and supported the promotion and protection of the rights of the child; however, religious and national legislation should be taken into account in that regard.

85. **Mr. Eleyatt** (Mauritania) said that while his country respected the rights of children and supported the draft resolution, the national legislation of States, particularly of those with legal systems based on sharia law, must also be respected.

Agenda item 69: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental questions (*continued*) (A/C.3/68/L.53, A/C.3/68/L.63/Rev.1 and A/C.3/68/L.34/Rev.1)

Draft resolution A/C.3/68/L.53: Follow-up to the International Year of Human Rights Learning

86. **The Chair** said that the draft resolution contained no programme budget implications.

87. **Ms. Mballa Eyenga** (Cameroon) said that Austria, Belgium, Bulgaria, Costa Rica, Cyprus, Estonia, France, Greece, Hungary, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Mexico, Netherlands, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Sweden, Switzerland, Thailand and Turkey had joined the sponsors.

88. States should continue to elaborate and implement human rights strategies and programmes in cooperation with all stakeholders, including civil society, the private sector, media, universities, parliamentarians, regional organizations, and institutions that specialized in that area. She read out an oral revision to paragraph 8 of the draft resolution, which should read: "invites the United Nations system as well as Member States to give due consideration to

human rights education and learning in the elaboration of the emerging post-2015 United Nations development agenda."

89. **Mr. Gustafik** (Secretary of the Committee) said that Argentina, Armenia, Australia, Belarus, Bolivia (Plurinational Republic of), Bosnia and Herzegovina, Croatia, Ecuador, El Salvador, Equatorial Guinea, Germany, Guatemala, Montenegro, Nicaragua, Philippines, Russian Federation, the former Yugoslav Republic of Macedonia and Ukraine had joined the sponsors.

90. *Draft resolution A/C.3/68/L.53, as orally revised, was adopted.*

Draft resolution A/C.3/68/L.63/Rev.1: Protection of and assistance to internally displaced persons

91. **The Chair** said that the draft resolution contained no programme budget implications.

92. **Ms. Klemetsdal** (Norway), introducing the draft resolution, said that Armenia, Brazil, Costa Rica, Croatia, Czech Republic, Ecuador, France, Honduras, Italy, Lichtenstein, Mexico, Micronesia (Federated States of), Nigeria, Portugal, Republic of Moldova, Thailand, Ukraine and Vanuatu had joined the sponsors. The draft resolution on the protection of and assistance to internally displaced persons reaffirmed the key principles of human rights, humanitarian principles and expressed the commitment of the international community to the growing number of internally displaced persons worldwide. It also recognized the important role played by the Special Rapporteur on the human rights of internally displaced persons.

93. The constructive participation of Member States had led to progress in several areas: the role of development actors in finding durable solutions in situations of protracted displacement; the development of domestic legislation and policies; recognition of the need to protect internally displaced women from sexual violence and involve them in decision-making processes; the need to provide access to education for internally displaced children; and the need to protect schools.

94. **Mr. Gustafik** (Secretary of the Committee) said that Grenada, Malawi and Uganda had joined the sponsors.

95. *Draft resolution A/C.3/68/L.63/Rev.1 was adopted.*

96. **Mr.** Diyar **Khan** (Pakistan) said that his delegation had supported the consensus on the resolution, but would have preferred the text to include references to a number of new developments: Human Rights Council resolution 14/6 on the mandate of the Special Rapporteur on the human rights of internally displaced persons and General Assembly resolution 46/182, which emphasised that the affected States had the primary role in the coordination of humanitarian assistance within its territory.

97. Pakistan disassociated itself from the language contained in paragraph 24 of the resolution. Pakistan hosted both internally displaced persons and refugees which, legally and conceptually, belonged to separate categories. His Government also disagreed with the proposal to involve non-governmental organizations in the collection of data on internally displaced persons. Such a role had not been recognized or endorsed by all Member States.

98. **Mr. Elbahi** (Sudan) said that the Sudan had joined the consensus on the draft resolution in conformity with his Government's position of supporting all efforts to assist and protect internally displaced persons. However, the Sudan had reservations concerning the reference to the Rome Statute of the International Criminal Court.

Draft resolution A/C.3/68/L.34/Rev.1: The human right to safe drinking water and sanitation

99. **The Chair** said that the draft resolution contained no programme budget implications.

100. **Mr. Wittig** (Germany) said that Denmark, Fiji, Grenada, Iceland, Lebanon, Libya, Mexico, Republic of Moldova, Sao Tome and Principe, Singapore, South Africa, Thailand, United Republic of Tanzania, United States of America, Uruguay and Zambia had joined the sponsors. Costa Rica had withdrawn its sponsorship.

101. By adopting the resolution, Member States would be demonstrating their commitment to equal access to water and sanitation for vulnerable and marginalized groups, consultation with concerned communities, regular monitoring and examination of the status of the realization of the right to safe drinking water and sanitation, and the provision of effective accountability

mechanisms for all water and sanitation service providers.

102. Member States had agreed that the human right to safe drinking water and sanitation should be given adequate consideration in the design of the post-2015 development agenda. The resolution called on the international community to consider the principles of equality and non-discrimination and a focus on the rights of the most disadvantaged and marginalized while implementing that right.

103. **Mr. González de Linares Palou** (Spain) presented a number of oral revisions to the draft resolution. He said that paragraph 2 would become the fifteenth preambular paragraph; the text of what had previously been the fifteenth preambular paragraph would become the sixteenth, and the original sixteenth preambular paragraph would be deleted. In paragraph 3, the words "considering a human rights-based approach" should be deleted and replaced with the words "taking into account an approach that supports the promotion and protection of human rights." Although great importance was attached to the language of the original sixteenth preambular paragraph, its definition of the right to safe drinking water and sanitation was not included in the draft resolution in order to increase the probability that the draft resolution would be adopted by consensus.

104. **Mr. Gustafik** (Secretary of the Committee) said that Angola, Equatorial Guinea, Ghana, Lesotho, Madagascar, Malawi, Mongolia, Namibia, Nigeria and Paraguay had joined the sponsors.

105. **Mr. Pirimkulov** (Uzbekistan), speaking in explanation of position before the decision, said that his delegation supported the draft resolution, although it had decided not to join the sponsors. The preambular section of the draft resolution referred to General Assembly resolution 65/154 on the International Year of Water Cooperation. Since his Government had not participated in the process of approval of that resolution, it disassociated itself from any consensus on the present draft resolution.

106. *Draft resolution A/C.3/68/L.34/Rev.1, as orally revised, was adopted.*

107. **Ms. Murillo** (Costa Rica) said that the regrettable decision to delete the sixteenth preambular paragraph had led Costa Rica to withdraw its sponsorship. However, it would continue to work with other delegations in future to promote the right to safe drinking water and sanitation.

108. **Mr. Ruiz** (Colombia) said that Colombia had joined the consensus on the draft resolution; however, he wished to clarify the scope of his Government's legislation in connection with paragraph 7 (e) of the resolution, which called on States to consult with communities on adequate solutions to ensure sustainable access to safe drinking water and sanitation. Colombia, a multiethnic and multicultural nation, was of the view that free, prior and informed consultation was an intercultural process of dialogue and cooperative efforts around two perceptions of development. All racial and ethnic communities had the fundamental right to be involved in the decision-making process in connection with any project, construction or activity that might take place within their territory and affect their ethnic and cultural integrity. Only in such cases was consultation protected by the law.

109. **Ms. Loew** (Switzerland) said that Switzerland deeply regretted the deletion of the sixteenth preambular paragraph, which underpinned the human rights-based approach of the resolution. Its deletion was contrary to both the opinion of the majority of Member States, as well as the recent consensus decision of the Human Rights Council, and weakened the text of the resolution considerably. State capacity to implement the fundamental right to water and sanitation would be negatively affected without that crucial paragraph to serve as a guide.

110. **Mr. Escalante Hasbún** (El Salvador) said that El Salvador was disappointed by the last-minute changes to the resolution, in particular the deletion of the sixteenth preambular paragraph. His delegation hoped that a stronger text, which included that paragraph, would be introduced at the sixty-ninth session of the General Assembly.

111. **Ms. Gandini** (Argentina) said that States were responsible for ensuring the right to water and sanitation, which was fundamental to the guarantee of the right to life and a minimum of well-being. For that reason, Argentina had joined the consensus on the resolution; however, her Government maintained that States should guarantee the right to water and sanitation for all individuals within their jurisdiction. In that connection, she affirmed her delegation's commitment to General Assembly resolution

A/Res/1803 (XVII) on permanent sovereignty over natural resources.

112. **Ms. Robl** (United States of America) said that the United States of America would work with other Member States on the global challenges to implementing the right to water and sanitation. The international community should refer to the statements made by her Government in Geneva on 27 September 2013 and in New York on 27 July 2011 to understand its position on safe drinking water and sanitation.

113. **Mr.** Amit **Kumar** (India) said that India was pleased to join consensus on the resolution, but wished to emphasise that the issue of safe drinking water and sanitation should not solely be viewed from a human rights perspective. The 2012 United Nations World Water Development Report referred to several important aspects, including the uneven distribution of fresh water supplies, and considerations related to water resources management and technology.

114. The resolution did not comprehensively address all issues related to the progressive realisation of safe drinking water and sanitation facilities for all, but his delegation hoped that those issues would be revisited in the future. His delegation would also have appreciated a stronger, more direct call for strengthened international cooperation in that regard.

115. His delegation had reservations concerning the human rights-based approach to implementing development programmes related to the right to safe drinking water and sanitation referred to in paragraph 11 of the resolution. Member States had not reached any agreement concerning the implications of such an approach.

116. **Mr. Nisan** (Canada) said that Canada was pleased to join consensus on the resolution and affirmed his Government's recognition of the human right to safe drinking water and sanitation as essential to the right to an adequate standard of living, and therefore implicit under article 11 of the International Covenant on Economic, Social and Cultural Rights.

117. Canada interpreted the right to safe drinking water and sanitation as the right to a sufficient and safe quantity of reasonably affordable and accessible water for personal domestic use, personal and household sanitation, and to basic sanitation that was both safe and hygienic. Water and sanitation services should be physically and economically accessible on an equal and non-discriminatory basis. The right to safe drinking water and sanitation did not encompass transboundary water issues such as bulk water trade, or international development assistance.

118. Canada would continue its efforts toward the progressive realisation domestically of the right to safe drinking water and basic sanitation through national and subnational action, with particular emphasis on vulnerable individuals.

119. **Mr. Ruidiaz** (Chile) said that his delegation had joined the consensus on the resolution because Chile recognized the importance of water to the dignity of individuals. The purpose of the resolution was to provide impetus to compliance with the relevant Millennium Development Goals. His Government was also of the view that the resolution did not direct how States should administer water and sanitation. Such was a matter to be regulated by the domestic legislation of each State.

The meeting rose at 12.55 p.m.